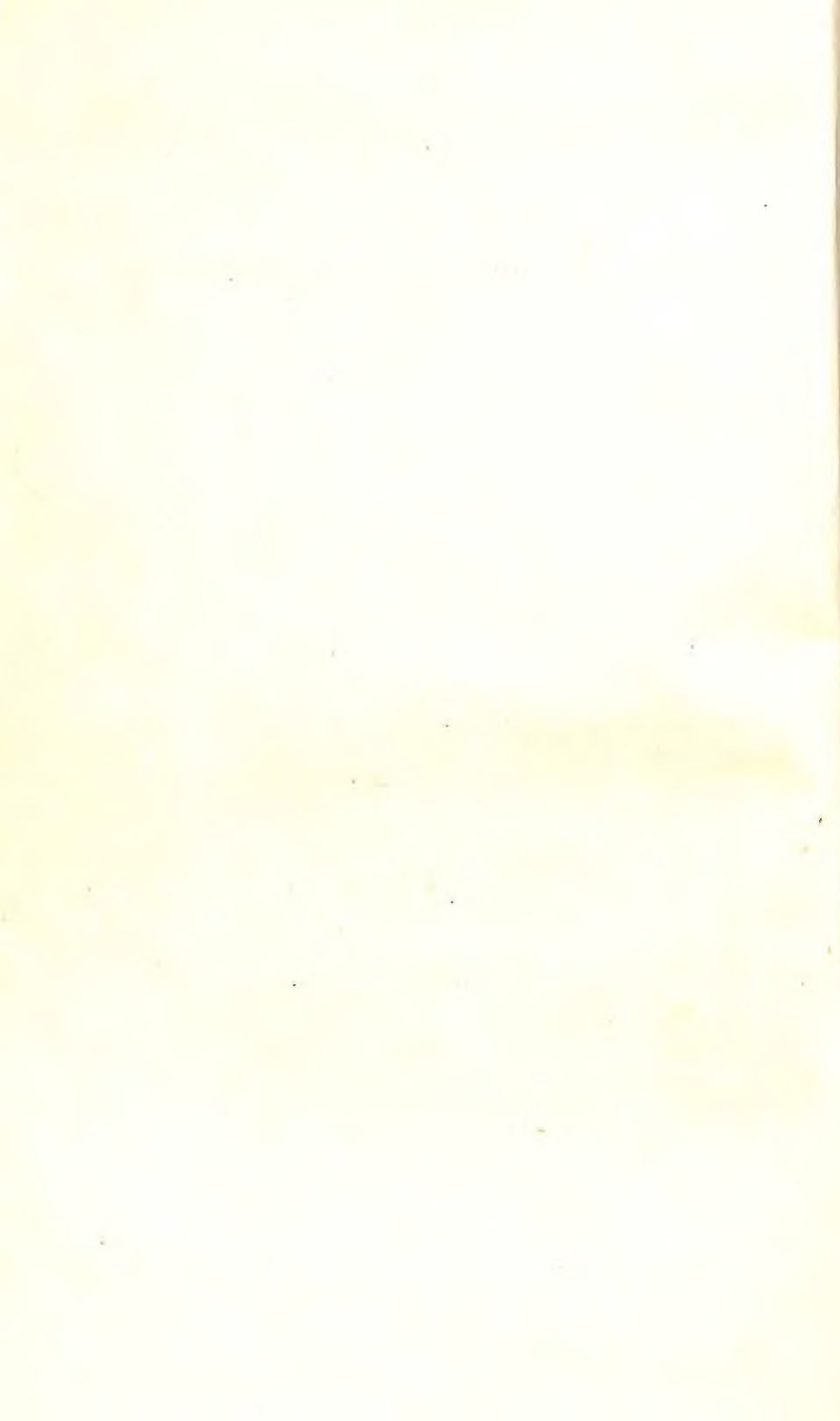


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THE UNION AND THE STATES IN EDUCATION



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THE UNION AND THE STATES IN EDUCATION

A Study in Educational Finance and Planning

M. ABU BAKER

*Reader in Education Jamia Millia Islamia
New Delhi*

Acc 2527

With a foreword by

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Foreword

By Rasheeduddin Khan

Professor of Political Science
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The challenges to federal nation-building are many. In the new states like India, that are called upon to stabilize a new territorial sovereignty over a 'chronic' traditional society, some of these challenges acquire perilous proportions. The main task is obviously to coalesce socio-cultural segments into a viable political identity, by maintaining national unity and integrity, without destroying desirable diversities.

It needs reiteration that the very structuring of a federal polity involving division of authority and distribution of responsibilities presumes coordination and reconciliation of several processes and interests. For a gigantic federal polity like India, whose 'political federalism' in its continental length and breadth is more than matched by its continuing 'socio-cultural federalism' in historical depth, the effective and responsive functioning of a new federal sovereignty involves an *equipoise* between various levels and components of the huge constitutional-cum-administrative machinery. To be sure, the problem of proper jurisdiction and legitimate areas of operation are never completely settled in a federal system by the mere enunciation of laws, not even by the juristic schema, more often implicit and sometime even explicit in the main body of the fundamental law—the constitution, that is assumed to represent the terms and contracts between the federating units and the federal authority. Indeed, beyond the constitution, in the full glare of political reality, so to say, remains the actual functioning of the federal system, that almost continually

adjusts and adapts itself to the ever new problems and demands of an evolving polity.

The smooth functioning of the federal processes are predicated on their capacity to absorb shocks, overcome tensions and reconcile conflicts. The dynamics of *social change* and *economic growth* which are the two vital parameters for the transformation of pre-industrial and post-colonial societies into contemporary modern independent polities generate forces, demands and expectations that require prompt redress, and satisfactory solution. The experience of India in the first thirty years of its national independence, is replete with lessons for perceptive students of the theory and practice of federalism.

The theme of relations between federal authority and federating units, in other words between the central, national authority and regional-cum-provincial authorities that is commonly referred to in Indian academic circles as union-state relations, is a theme of perennial interest and concern to the students of contemporary government and federal politics. During the last three decades many studies of normative, conceptual, juristic and political aspects both in terms of macro-framework and micro-analysis have been done by scholars of India and foreign scholars of the contemporary Indian scene. Indeed, several incisive discussions have been organised around seminars and conferences. Yet union-state relations remain a theme of abiding relevance and excitement precisely because of the developing, ever changing and ever expanding process that such a relationship entails.

An important though somewhat neglected aspect of the union-state relations in India is the main theme of the book written by my young friend, Dr. M. Abu Baker, Reader in Education at the Teachers' College, Jamia Millia Islamia.

This admirably readable book divided into seven neat and manageable chapters throw light not only on the ramifications of the general debate regarding the virtues and limitations of a system of centralised direction for education but also includes a useful historical survey of the attempts to work out a pattern of cooperation between the centre and the states from the time of

the British *Raj* to the earlier years of our independence. This discussion is taken further by looking at the provisions for union-state relations in India stipulated in the Republican Constitution of 1950. Three crucial dimensions of the problem, namely: (i) the problem of financial relations in education; (ii) imperatives of planning for education, and (iii) the consultative machinery for education as between the states and the centre, have been examined at great length. The main thrust of the concluding chapter is to underline the fundamental national character of the education system that should reconcile consensual national goals and concerns with specificities of the state and regional requirements together with their capacity to creatively work out their sub-patterns. The author has done well to include a brief *post-script* in which he reflects on the proposals of the recently constituted Swaran Singh Committee by the Congress President, which has recommended that education should be transferred from the State List to the Concurrent List of the constitution.

It gives me great pleasure to write these few words of compliments in introducing a well conceived and an ably argued book. The author has a facility of expression that combines profundity with clarity. He has consulted relevant sources and has judiciously used them in the construction of his theses. Though the present book has grown out of his doctoral dissertation, yet it avoids the obvious dullness and esoteric boredom that haunts many a doctoral gem! Indeed, it restores confidence in those who are still hopeful that doctoral dissertations are not meant only and exclusively for the bookworms (literally and metaphorically) but also for the large body of enlightened citizens who would like to learn from those who have devoted several man-hours and burnt much midnight oil to present a cohesive and a systematic account of an important problem.

Dr. Abu Baker, I am glad to say, is a rare example of a scholar who has survived the vicissitudes of a thesis-writer and has emerged as a lively author who can provoke thinking and stimulate ideas.

I have great pleasure in commending Dr. Abu Baker's book both to the specialist and the common citizen as a worthy contribution by an expert that should be taken with the seriousness with which it has been written.

August 20, 1976,
New Delhi-110057

RASHEEDUDDIN KHAN

Preface

Barring perhaps the theme of democracy and socialism, there is no other theme that has attracted more attention and debate in this country in the post-independence period than inter-governmental relations between the union and the states. These relations have been a persistent source of interest not only to professional politicians but also academicians from a wide variety of disciplines. From the research point of view, it may not be easy to find another theme with such transdisciplinary breadth that it challenges the perspectives and the theoretical capacities of so many social sciences at the same time. One gratifying outcome of the wide interest in the subject has, however, been the growth of a large corpus of research literature on the problem of union-state relations in almost all relevant disciplines. Education, unfortunately, is the only conspicuous exception. The Centre of Advanced Study of Education (CASE) of the Maharaja Sayajirao University of Baroda made a survey of doctoral studies done in education in India upto 1972. The survey (*Survey of Research in Education, 1974*) reviews some 343 research studies. Not one of them relates to the problem of centre-state relations in education or any of its various aspects.

There is thus a serious research gap in the field of union-state relations in education. The first need in filling this gap was perhaps to draw together the scattered range of existing material in the area and subject them to careful study and analysis. The present study is a modest attempt in this direction.

Nobody with any acquaintance with research will embark on a research endeavour like this with fantasies of seeing it through all alone. But the debt of gratitude and obligations accumulated during the course of this work has been particularly large. One of the first discussions on the subject that the author had was with the late Dr. Zakir Husain, who was then the Vice-President of India, on the occasion of an interview with him for an educational journal which the former edited. Since then he had discussions

with a large number of academicians belonging to a wide variety of disciplines, central and state government officers connected with education, planning and finance, and officials of the Planning Commission. Among the academicians were also some from outside the country. He had also had the unfailing cooperation and generous help of the functionaries at the National Archives and librarians of a large number of institutions and organisations. One of the latter, the librarian of the Zakir Husain Library of the Jamia Millia kept up an unending correspondence with sister universities and other institutions in an effort to procure for him unpublished theses and other documents that he had asked for. He had also received help with the usual chores connected with a work of this kind from his wife and from a number of friends and colleagues. It is, therefore, difficult to mention here all those whom he owes various debts of obligation in no mean measure. In any case, a brief mention in a preface is small repayment indeed to them for their pains.

But he can not help recording here his gratitude to Prof. D.M. Desai, till recently Dean, Faculty of Education and Psychology, M.S. University, Baroda and to Dr. Salamatullah, Dean, Faculty of Education, Jamia Millia Islamia, New Delhi. Prof. Desai had ungrudgingly shared with the author his remarkable understanding and his vivid perceptions of the forces that had shaped intergovernmental relations between the union and the states in India in the field of the planning and financing of education. The author's perennial grouse against Dr. Salamatullah has been that the latter always overestimated his abilities; but in that process he made him accomplish things far beyond his capacities and the present work is one instance of this. But for Dr. Salamatullah's watchful eye on him, now censorious and now appreciative, which kept him plodding, this piece of research would have perhaps taken a much longer time to complete.

The author will be failing in his duty if he does not make a mention here of his debt to Shri J. P. Naik, who first stimulated his interest in the area of union-state relations in education. He has had the privilege of association with him for over a decade and a half and of working with him for nearly four years during this period. That itself was a liberal education and if the

present work gives evidence of any insight, the credit for a great deal of it should go to Mr. Naik.

Lest the preceding acknowledgements should be interpreted to the disadvantage of the author's academic benefactors, he should, before he closes this preface, pay formal obeisance to a tribal custom of the academe. This work, for various reasons, was taken up and completed at one fell swoop and therefore must, of necessity, show many inadequacies. The responsibility for these and for any errors of fact and interpretation is entirely the author's.

New Delhi
1st August, 1976.

M. ABU BAKER

INTRODUCTION

The centre-state controversy in education

As the Indian state is constituted to-day, the government at the centre has to find a *modus vivendi* with more than a score of other governments—the governments in the states¹—in the management² of education. Each of these states is armed with its own constitutional jurisdictions, including, as we shall later see in detail, almost exclusive jurisdiction over education; each one of them is also equipped with its own representative and other institutions for decision-making and decision-enforcement. The task of 'living together' that the central government thus faces in education is obviously not an easy one.

The issue involved here is, basically, that of centralisation *versus* decentralisation in education. There is a widespread feeling that while the founding fathers of the constitution had deliberately opted for decentralisation³ in education, the locus of 'educational sovereignty' has tended, through the post-independence years, to be the centre. This has sometimes made the centre the target of

1 With the entry of Sikkim, there are 22 states in the Indian Union now, In the present study the union territories are not taken into consideration.

2 The word is used here in its widest sense—in the sense in which Oliver Sheldon uses the word in his *Philosophy of Management*. See Albert Lepawsky, *Administration: The Art and Science of Organisation and Management*, Calcutta, 1970 (Second Indian reprint), Oxford and IBH Publishing Co., p. 37.

3 In the parlance of political science, centralisation and decentralisation are applied sometimes to the relations between different levels of a government and at others, to the relations between higher and lower authorities in a single level of government. Sir Charles Harris makes a distinction between these two and reserves the term decentralisation to the second set of relations. (See Truman D. Bicknell, *Administrative Decentralisation*, 1952, Chicago, University of Chicago Press, p. 24). Here the term is obviously used to refer to relations between two levels of government.

loud vituperation. But, more often, it has led to a demand for decentralisation and greater educational authority to the states. Some have, even gone to the extent of recommending the abolition of the Ministry of Education at the centre.

The advocates of decentralisation base their case, in the main, on the cultural pluralism obtaining in the country⁴ and the need for education to be close to the people. No political system, they argue, can function or even survive in India, in the long run, unless the prevalent political culture, of which institutional arrangements in education is an important component, takes full cognisance of the plurality of Indian culture. The 'minimal' and pre-democratic states of ancient and medieval times could perhaps overlook the divisive pulls of cultural diversity ; or, in the alternative, they could overcome them through coercion. But, the modern state, particularly one based on democratic value-premises, can manage cultural plurality only through devices of 'homogenisation'. These devices do indeed differ from state to state. But, the history of 'state-building' in recent times has shown that the internal cohesion of a state can be optimised under a federal system of decentralisation in which distinct cultural entities enjoy specific 'sub-system autonomy'.⁵ Such autonomy is all the more essential in education which, by its very nature, should exist in a 'symbiotic' relationship with the people, and their needs and aspirations. In imposing its hegemony over the states in education, therefore, the centre does damage not only to the 'loyalty-structure' of the state, but also to education.

The credibility of this case is strengthened by the fact that decentralisation has been an old and persistent theme in Indian public life.⁶ The association of the concept with the Gandhian philosophy of a social order consisting of small scale and self-sufficient commu-

4 P.C. Mathur, "Future Prospects", *Seminar*, No. 156, August 1972, p. 38.

5 *Ibid.*

6 It has been so in most 'new states'. Myrdal has pointed out that in the whole of South Asia, decentralisation is a 'more widely accepted valuation than any of the modernisation ideals other than the quest for independence'. See Gunnar Myrdal, *Asian Drama, An Enquiry into the Poverty of Nations* (Abridged edition), 1972, London, Allen Lane the Penguin Press, p. 35.

nities attracts to it the unquestioning allegiance of a large and generally influential section of the people.⁷ The broad appeal of the concept also often makes it an easy gambit in populist politics.

Those who tend to look at post-independence developments in centre-state relations in Indian education with equanimity belong to two distinct groups : (i) those who deny the allegation of central hegemony over education ; and (ii) those who concede a shift in educational authority to the centre but consider this shift not only inevitable under the present circumstances, but also desirable.

Central domination over Indian education is denied by the first group on the strength of the several cases of state recalcitrance to educational policies especially canvassed by the central government. To the logically fastidious an argument of this kind may seem *non sequitur*. The allegation, however, does contain an element of truth. This has made it come in handy to those, including Union Ministers of Education, who plead for more powers to the centre in education. Concluding a series of proposals meant to give more educational sinews to the central government, one union minister for education complained to a national convention on union-state relations :

Some years ago, the Government of India recommended, in the interest of national integration, that no state should impose any restriction on admissions to medical and engineering institutions on grounds of domicile and that admissions to these institutions should be open on equal

7 This is so inspite of the fact that the Gandhian concept of decentralisation was very different in its content. Gandhiji's criticism of the Indian constitution was : "The centre of power was in New Delhi, or in Calcutta and Bombay, in the big cities. I would have it distributed among the seven hundred thousand villages in India". The fate of the proposals made by the Balwant Rai Committee is ample evidence of the meagre support this ideal of decentralisation enjoys among the political elite in India to-day. Article 40 of the constitution which enjoins on the country panchayati raj as one of the directive principles of state policy now stands, basically, as nothing more than a token acknowledgement of her indebtedness to the father of the nation.

commission or committee in education appointed after independence which was not seized of the problem or some aspect of it. As early as 1949, the University Education Commission had touched upon it in relation to the field of higher education and recommended that university education be placed on the concurrent list of legislation.¹² The Secondary Education Commission reverted to the question in 1953 and expressed the view that the centre is not absolved of all responsibility in regard to secondary education and that 'in all matters connected with the improvement of secondary education, there should be the fullest co-operation between the states and the centre'.¹³ The latest in this line of authoritative bodies has been the Education Commission (1964-1966) headed by Prof. D. S. Kothari. This commission considered the question important enough to examine it at some length. It came to the conclusion that in a vast country like ours, the position given to education in the constitution is 'probably the best'.¹⁴

The concern about centre-state relations in education has not been confined to official bodies making ex cathedra policy pronouncements on education. There is, for instance, no professional organisation of teachers in the country which has not taken a stand on the issue.¹⁵ The latest case is that of the newly-formed organisation of *Educators for Secularism, Socialism and Democracy*. In its first conference itself held in September 1975 at the exclusive Vigyan Bhawan in New Delhi and inaugurated by the Prime Minister, the ESSD came out with a statement which demanded that suitable amendments be made to the constitution 'to declare higher education as a concurrent subject in order to help the growth of a national accountability and a national outlook in higher education'.¹⁶ From all accounts, the conference con-

12 Government of India, *The Report of the University Education Commission* (1948-1949), p. 435.

13 Ministry of Education, Government of India, *Report of the Secondary Education Commission*, (1952-1953), p. 169.

14 Ministry of Education, Government of India, *Report of the Education Commission* (1964-66) : *Education and National Development*, p. 451.

15 See V.K.R.V. Rao, *op. cit.*, p. 180.

16 "Statement of the Conference of Educators for Secularism, Socialism and Democracy", *Secular Democracy*, September (II), 1975, p. 27.

fined its recommendation to higher education only because it was reminded by the sponsors that the ESSD represented only college and university teachers.

While on the one side official commissions and committees in the field of education, and professional organisations have been pleading for greater involvement of the centre in education, on the other, the allegation has been mounting, particularly among private scholars, that the centre has overstepped its brief in education. From the point of view of the study of centre-state relations, the nineteen-sixties was remarkable, for, the decade saw the publication of a number of competent studies of the problem¹⁷. None of these studies confined its attention to education, but almost all of them had occasion to refer to the field and the increasing central control over it. Santhanam, whose study was perhaps the first in the series and set the tone for the rest, cited at some length examples from the field of primary education and concluded :

The only point I wish to make here is that, even in such a thing as primary education, a uniform policy throughout the country has been sought to be enforced and a uniform change of policy has been equally imposed.¹⁸

It was, however, the Administrative Reforms Commission, as we shall have occasion to see later in the course of this study, that finally put the seal of authenticity on the allegation of central domination over Indian education. The allegation, if anything, has only become louder since then.

A neglected problem

There, however, has been no research attempt at an objective scrutiny of the allegation. Its veracity is either accepted unquestioningly or rejected out of hand. The contenders in the

17 For example : K. Santhanam, *Union-State Relations in India* (1960) ; A. Krishnaswamy, *The Indian Union and the States : A Study in Autonomy and Integration* (1964) ; Asoka Chanda, *Federalism in India* (1965) ; and Amal Ray, *Inter-governmental Relations in India* (1966). This is only a random selection.

18 K. Santhanam, *Union-State Relations in India*, 1960, Bombay, Asia Publishing House, p. 50.

controversy regarding centralisation *versus* decentralisation generally move in the rarified realm of theory ; their moorings in operative relationship between the centre and the states are extremely tenuous.

The paucity of research in the field is not entirely surprising, because centre-state relations in functional areas like industry, agriculture, irrigation, power, health and education, which are largely fields within the sphere of the states but in which the centre has begun to play an increasingly important role, have not received the attention they deserve.¹⁹

A recent research survey sponsored by the Indian Council of Social Science Research (ICSSR) lists only less than a dozen papers and articles, and three full-fledged studies in the area. The survey does not claim to be exhaustive ; yet it is certainly indicative of the dearth of research in the field.

The poverty—there is no other word that describes the situation adequately—of research in the area of centre-state relations in education, the area of our immediate interest, strikes one almost in the eye. Among the nine papers listed in the ICSSR survey, not one is related to education. One of the three full-fledged studies, however, is J. P. Naik's *Educational Planning in India*

19 N. Srinivasan, *Survey of Research in Social Sciences : Union-State Relations*, 1970, New Delhi, Indian Council of Social Sciences Research, (Mimeo.), pp. 19-20. The other areas of centre-state relations, have attracted greater notice. We have already referred to some studies which deal with the whole gamut of centre-state relations. The aspect of centre-state relations that has received most frequent and competent treatment, however, is the financial aspect, perhaps because the deliberations of the quinquennial Finance Commissions and the formulation of the Five Year Plans provided convenient occasions for its discussion. Some important studies in the area are : D.T. Lakdawala, *Union-State Financial Relations in India* (1967) ; G. Thimmiah, *An Approach to Centre-State Financial Relations in India* (1968) ; K. Venkataraman, *States' Finances in India* (1968) ; S. M. Veeraraghavachari, *Union-State Financial Relations in India* (1969) ; and Amiya Chatterjee, *The Central Financing of State Plans in the Indian Federation* (1971).

(1965)²⁰. This would certainly have been some satisfaction but for the fact that there seems to be a gross error of judgement here. For, though the work bears ample evidence of Naik's exceptionally high level participation in fashioning the educational policy of the country, even a cursory examination should show that it is hardly a study of centre-state relations in education. The entire focus is different; centre-state relations come in only incidentally and marginally.

Existing studies

Naik, who is admittedly the first educationist to pay attention to the problem of centre-state relations in education, however, has to his credit contributions more specifically devoted to the problem that the survey has unfortunately missed. It may not be out of place here to take a quick look at these and other meagre literature available in the area.

Naik's widely read paper, "The Role of the Government of India in Education,"²¹ was the first ever attempt at a coherent statement of the problems and broad facts connected with centre-state relations in education. The paper approached the problem from three angles: historical, constitutional and comparative. Given this frame-work, it was natural that the paper was primarily concerned with the static rather than the dynamic aspects of centre-state relations. There was, however, a brief reference to operative centre-state relationships in the context of three 'significant developments': (i) 'the growing desire to evolve a national system of education for the country as a whole'; (ii) 'revival of central grants for education'; and (iii) 'the adoption of centralised planning and the creation of the Planning Commission.'²²

20 The other two studies listed are both in the field of agriculture. They are: (i) N. Srinivasan, *Agricultural Administration in India* (1968); and S. P. Singh, *Centre-State Relations in Agriculture* (1969). Among the nine papers listed, four were those presented at the National Convention on Union-State Relations (April 1970) to which we had occasion to make a reference. See N. Srinivasan, *op. cit.*, p. 20.

21 *Educational Studies and Investigations*, Vol. I, 1962, New Delhi, National Council of Educational Research and Training, pp. 1-32.

22 *Ibid.*, pp. 12-13.

After an all too succinct and broad statement of these developments, Naik came to the conclusion :

It will thus be seen that the inherent contradiction in the constitutional position has been still further accentuated by the developments of the last ten years and the role of the centre has now become far more important in actual practice than the cold print of the constitution.²³

It is no carping criticism, however, to point out that this conclusion was based more on Naik's inside knowledge of the process of policy-making in Indian education than any detailed analysis of the mechanics of the operation of the three developments to which Naik had rightly drawn attention. For, there was little researching in evidence in the paper into operative relationships. If the paper showed signs of any research effort, it was generally limited to the historical and the comparative parts of the study. Naturally so perhaps, for, when Naik made this pioneer effort, the Indian constitution was hardly in operation for ten years.

The purpose of Naik's more recent contribution to the study of centre-state relations, a paper entitled "Union-State Relations in Education : Their Implications for Educational Administration"²⁴ was explicitly not research. The paper, contributed to a special number of the *Indian Journal of Public Administration* on the administrative aspects of union-state relations was mainly policy-oriented. Written after the political developments of 1967, the paper was based on the assumption that the 'extraneous considerations' that had made for the centralising tendency in education had disappeared and the country was 'now called upon to administer education for the first time, in the literal spirit of the constitution.'²⁵ The paper then proceeded to discuss the administrative aspects of the problems that would attend efforts 'to rebuild' centre-state relations in education from the point of view of this changed political circumstance.

23 *Ibid.*, p. 13.

24 *The Indian Journal of Public Administration*, Vol. XVI, No. 3, July—September, 1970, pp. 378—84.

25 *Ibid.*, p. 378.

Opinion would differ on the various suggestions made by Mr. Naik in his paper; so would indeed judgment on the premises on which these suggestions were based. But, given the premises, the paper fulfilled admirably the modest task it had set itself. The task, however, was not description; it was, by design, prescription.

To this category of the prescriptive and hortatory also belong two other pieces of writing in the field. We have had occasion, in a different context, to refer to one of them—the paper by V.K.R.V. Rao presented to the 1970 National Convention on Union-State Relations. The other, again a paper, by Surendernath Panda²⁶ is similar in purpose, but lacks, unlike Rao's paper, a coherent conceptual framework. Both Rao and Panda seem to be highly indebted to Naik (particularly his first paper) though the debt is not acknowledged. What is relevant to the present discussion, however, is the fact that neither of the two papers makes any research contribution to the area of centre-state relations in education. Nor was it their intention to do so.

*Educational Planning : Its Legal and Constitutional Implications in India*²⁷ is a collection of the papers presented at a seminar organised at Delhi in January 1966 under the joint auspices of the Indian Law Institute and the Education Commission (1964-66). The purpose of the seminar was 'to provide an opportunity for a realistic assessment of the widely held feeling among intellectuals in India that the law and the constitution presented obstacles to (the) implementation of educational plans'. It also discussed the important question of 'the extent to which educational planning could be centrally guided.'²⁸

It will not be reasonable to look for a common angle or uniform quality in a collection like this. But, if the papers are any indication, the seminar seems to have done justice to its theme within the generally known limitations of any gathering of

26 Surendranath Panda, "Centre-State Relations in Education—A Case for Redefinition", *Naya Sikshak*, January—March 1970, pp. 20-26.

27 G. S. Sharma (Ed.), *Educational Planning : Its Legal and Constitutional Implications in India*, 1967, Bombay, N. M. Tripathi Private Ltd.

28 *Ibid.*, p. v.

intellectuals like this. Considerable research and study seems to have gone into the preparation of several of the papers. The weakness of the collection from our point of view is, however, reflected in the academic background of the contributors of the papers. Though the editor in his introductory note claims that the seminar was an inter-disciplinary venture, fourteen out of the eighteen contributors are jurists of repute mostly professors of law. It is therefore, not surprising that the collection, if it is to be classified, belongs to the well-known genre of legal treatises like those of Seervai (*Constitutional Law of India*, 1969), Basu (*Commentaries on the Constitution of India*, 1965) and others, though the focus here is limited to education and educational planning in particular. Even the papers of the four non-jurist contributors seem to have been influenced by the orientation of the other papers. The collection, therefore, deals with operative relationships only incidentally and peripherally.

There is thus a serious research gap in the area of centre-state relations in education²⁹. The few studies that exist, such as they are, deal either with the historical, legal and static aspects of the problem or, are little more than policy-oriented pronouncements. Operative relationships between the centre and states in education largely remain a neglected and unexplored area of study.

Research tradition elsewhere

Research students know well the important role model studies play in social sciences in suggesting research areas and themes to would-be researchers. It is not as if the area of centre-state relations in education was entirely lacking in such models, though they were admittedly not so abundant here as in some other areas. As early as 1950, when the Indian constitution came into operation, there was available a major study of the role of the federal

29 We have not mentioned here the voluminous compilation (599 pages) by the Ministry of Education, Government of India, entitled *Educational Activities of the Government of India* (1963, Delhi, Manager of Publications), a descriptive listing of the educational and training programmes undertaken by the Government of India through its various ministries. Its only possible bearing on the present study is that it shows the extensiveness of the educational activities of the central government in spite of the fact that education is a state subject.

government in American education. The study, made by Hollis P. Allen for the Hoover Commission Task Force on Public Welfare³⁰, was necessarily descriptive and sought to identify, historically and currently, federal policies in education in the United States. Within four years, towards the close of the first Five Year Plan in India, was published another study in the United States, which in many ways marked a definite advance on Allen's rather descriptive exercise. This study by Dawson Hales³¹ sought, primarily, to evaluate the principle of local sovereignty in education. But, in doing so, the study made a departure from current academic practice in not confining its attention to educational institutions and the democratic faith alone. The basic assumption of the study was that education was a function of the society in which it operated and, therefore, an attempt to evaluate any method of regulating it should consider changes in basic forces, relationships and trends in society. The principle of local control was then identified as a function of the American society and culture of the period prior to the full upsurge of the industrial revolution (1830-1850). The changes in the principle, and the entry of the federal government into education was seen in the background of the social forces that had come into operation during 1930 to 1950.

The research trail blazed by Allen and Hales were followed by other scholars after them. Competent studies in the field are many now, not only in the American context, but in the context of other federal polities also.³²

- 30 Hollis P. Allen, *The Federal Government and Education*, 1950, New York, Mc Graw Hill Book Co. Inc. Naik's paper on the role of the Government of India in education seems to have been considerably influenced by Allen's study.
- 31 Dawson Hales, *Federal Control of Public Education—A Critical Appraisal*, 1954, New York, Teachers College, Columbia University.
- 32 For example, two highly readable, though brief, Australian studies, selected at random are: (i) P. D. Tannock, "Federal Movement into Australian Education", *The Journal of Educational Administration*, Vol. XII, No. 1, May, 1974, pp. 3-16; and, (ii) P. D. Tannock and I. K. Birth, "Constitutional Responsibility for Education in Australia: the Federal Government's Latent Power", *The Australian Journal of Education*, Vol. XVI, No. 2, June 1972, pp. 116-124.

Causes of meagre research in India

Thus the blame for the relative neglect of the problem of centre-state relations in Indian education cannot be laid upon the subjective factor of the lack of a research tradition in the area. Other subjective factors, more of an indigenous nature, cannot, however, be so easily exonerated. The most important among them may be the traditional 'political myopia'³³ of the Indian student of education. For various reasons, mostly historical, Indian educationists have been particularly blind to the political process. The political process, and the students of that process have been equally blind to them, in turn, but perhaps for a slightly different reason—the peripheral importance of education so far (all protests to the contrary notwithstanding) to the affairs of the nation.

There, however, is an objective and more immediate reason for the meagreness of research attention paid to centre-state relations in education. A full-fledged federal system of government has been in operation in this country only since the fifties. No assessment of the actual working of the system in education could be meaningfully undertaken before the system had operated for some time. Unfortunately also, operative relations between the centre and states (particularly in education, where antecedent agreement on policies existed in a larger measure than in other areas) were obscured by various 'extraneous' factors including the oft-lamented 'one party rule' and the charisma of the early policy-makers at the centre.³⁴

Opportune time for study

With the completion of the Fourth Five Year Plan, the Indian federal system had been in operation for nearly a quarter of a century. This is long enough for any system of government to show up its weaknesses and strengths. It may not be, therefore, premature at this juncture to make an attempt to fill the research

33 A picturesque term used by Sayre in a similar context. See W. S. Sayre, "The Politics of Education", *Teachers' College Record*, 1963, p. 178.

34 It is thus no accident, as Srinivasan rightly points out, that most studies in the field of centre-state relations belong to the second decade of the constitution coming into operation. See N. Srinivasan, *op. cit.*, p. 22.

gap in the area of centre-state relations in education. The present study is a very modest effort in this direction.

It may not also be out of place to add here that such an effort will also be in line with a broad and welcome trend of recent origin in the field of education which promises to make amends for the serious academic omission we referred to a short while ago. Education consumes a giant's share of the resources of the nation ; yet, as we have seen, it has until recently received little political analysis. Now, however, the political aspects of education seem to be increasingly engaging the interest of not only professional educators, but also political scientists and sociologists.³⁵

Nature of the study

What has just been said above seems to make a partial disclaimer about the nature of the present study necessary, for, the statement may be interpreted to mean that the study is an exercise in political analysis. *Politics* unfortunately is a smear word. It is in a degenerate Lasswellian sense of 'power manoeuvring',³⁶ with all its attendant unflattering associations, that the word is to-day used in common parlance. The present study is certainly not related to politics or the politics of education for that matter, in this entirely un-Hellenic sense of the word. Happily the word is also used, in political science, with greater discrimination and more in tune with the pristine Greek tradition in its usage. In this use of the word, *policy-making* is one of the basic frames of reference in politics and the political process is defined, as Toby does, as 'the policy-making mechanism of interactive systems.'³⁷ In this rather broad sense of the word, the study can claim to have characteristics of political analysis, for, it is with policies and policy-making devices that it mainly deals.

35 Koerner also makes the point in a similar context. See James D. Koerner, *Who Controls American Education? A Guide for Laymen*, 1968, Boston, Beacon Press, p. vii.

36 See Harold Lasswell, *Politics—Who Gets What, When, How?*, 1936, New York, Whittlesey House, p. 19.

37 See Jackson Toby, *Contemporary Society : An Introduction to Sociology* (Second edition), 1971, New York, John Wiley and Sons, p. 603 (Glossary, *sub voce*).

The power content of the latter, or their power base, is not denied but these have not been explicitly investigated.

It may also be appropriate to mention here that the present study is *exploratory* in nature. The word 'exploratory' is used not only in its ordinary dictionary sense, but also in the special sense in which some scholars have used it to designate a study of the present kind.³⁸ An exploration, in the dictionary meaning, is something of an adventure—an attempt to probe, in a tentative way, some unknown, neglected but nevertheless promising area. By the same token, an exploratory study is research designed, hopefully, to *generate* hypotheses, not to *test* them. Such a study seeks to provide the rationale which will justify future research aimed at testing hypotheses.

Methodological options

Clearly, the first and perhaps the most difficult problem that the study of any large politico-social and educational problem like centre-state relations in education or selected aspects of such a problem faces is that of methodological option. For, exploration of such a problem is possible both through case study and aggregate analysis techniques. Either of the techniques has its own limitations. The limitations of the case study are those of the proverbial philosopher who seeks to understand the universe by reflection upon a pebble. The dangers of his missing the relationships between the many pebbles, the pebbles and the shore, the shore and the wind, and finally, the latter and the waves, and indeed, these relationships within the totality of their ecology are quite real.³⁹ The limitations of aggregate analysis are equally serious. These arise from the problems of validation and reliability. Does the grossness of the measure aggregated encompass the important, but subtle aspects of the relationship studied? Thus, if one measures the movement of the centre into education in a federal polity only by the quantum of educational expenditure borne by it, he may not be necessarily 'measuring' the balance of

38 Holt and Turner, for example. See Robert J. Holt and John E. Turner, *op. cit.*, p. 3-5.

39 Frederick M. Wirt, "Theory and Research Needs in the Study of American Educational Politics", *The Journal of Educational Administration*, Vol. VIII, No. 1, May, 1970, pp. 73-74.

power in educational decision-making between the centre and the states.

The methodological option made here is deliberately in favour of aggregate analysis. This choice has been, in the main, an arbitrary one; but it is not entirely without justification. The history of the development of disciplines itself suggests one justification; the hypothesis of the primacy of *gestalts* (or 'organised wholes') in the operations of the mind indicates another. It is not, however, necessary here to expatiate upon these. It should be enough to say that a preliminary probe into the entire area of centre-state relations in education (a 'holistic' approach, if we will) seemed to be a better prelude to more intensive studies—including case studies of different aspects or discrete instances—of the problem.

Such a probe, as has been suggested by a perspicacious student of centre-state relations, is best undertaken at two levels.⁴⁰ For the lack of more appropriate words, these levels may be designated as the *base* and the *superstructure* levels.

If we agree to keep in abeyance the Marxist connotation of the words base and superstructure in the present discussion, the base of centre-state relations in education will consist in the explicit provisions of the constitution regarding education, in conjunction with the assumptions underlying these provisions⁴¹. The base level study, therefore, will be in the main concerned with these provisions, and the assumptions implicit in them as reflected, in the present study, in the current legal view of these provisions.

But, if the study is confined to this, it will only give a rather anaemic understanding of the educational provisions of the constitution. The socio-political values embodied in the provisions have evolved in history, as components of a response to certain historical imperatives. An understanding of these imperatives will heighten our understanding of the provisions themselves. Thus the

40 See D. L. Mazumdar, "A Note on Approaches to the Study of Centre-State Relations" in S. N. Jain *et al* (Ed.), *op. cit.*, p. 107.

41 *Ibid.*

study of the constitutional provisions will be set against a necessarily brief historical survey of some of these imperatives.

Upon the base of the constitutional provisions regarding education, a superstructure of functions and operative relations has been built up during the past several years. The second level of study is concerned with this superstructure.

Delimiting the problem

Problems of delimitation arise here. The superstructure of operative centre-state relations in education 'straddle' over a vast and unwieldy area. They cover the entire gamut of programmes, activities and levels in education. It is patently impossible to deal with this vast 'impacted area' (to use a rather ungrammatical jargon) in its entirety in any single study. An obvious way out was to delimit the study of the 'superstructure' to one single level or selected levels of education, or, in the alternative, to some programmes or functions in education. However, to confine the study of the superstructure to one level or selected levels of education, or, for that matter, to some programmes would have been inconsistent with the macroanalysis we had opted for in the beginning. It was, therefore, decided to delimit this part of the study to two governmental functions in education, namely, financing and planning. The study also takes a quick look at some federal devices of decision-making and consultation. This, it was thought, might throw important side-lights on the issues under study.

No apology is needed for the choice of financing and planning as the main foci of the study at its second level, the level of the superstructure. Their importance is patent. They constitute 'nodal' functions in the sense in which the Study Team of the Administrative Reforms Commission on the Machinery of the Government of India, in a similar context, has used that expression.⁴² Their impact is all-pervasive and more often than not, this impact has a determinative weight on what happens in education. The fact that they also constitute the most proliferat-

⁴² See Administrative Reforms Commission, *Machinery of the Government of India and its Procedures of Work : An Interim Report* (Submitted by a Study Team), 1967, (Mimeo.), p. 8.

ing of the governmental functions in education the world over and particularly in the developing countries, only add to their significance.

The temporal delimitation of the study posed no serious problem. There were only two over-riding considerations here. Firstly, the span of time chosen must be adequate enough for an identifiable 'superstructure' of centre-state relations in education to have been built up over the constitutional 'base'. Secondly, the period chosen should include the years of crisis of the sixties when the 'durational expectancy' of the Indian federation had reached its lowest ebb. It is generally claimed that the general elections of 1967 brought about climacteric changes in the configuration of centre-state relations which posed an outright challenge to the basic framework of the Indian federation.⁴³ These considerations almost inevitably led to the choice of the period of time covered by the four Five Year Plans (1951-1974) as the main temporal focus of the study (though this has not stopped us from drawing some of our illustrations of a secondary and unvarying nature from the current plan). Happily, the period of 1951-1974 also includes the initial years of, what some scholars have called, 'the re-stabilization of the Indian political system'.⁴⁴

Objectives

The foregoing discussion should give some broad idea of the purpose of the study. It may be useful to spell out this purpose in terms of more specific research objectives. The study seeks mainly to answer the following questions :

- i. What is the nature of centre-state relations in education visualised in the constitution? What are the constitutional provisions in this regard?

43 See, for example, D. L. Mazumdar, *loc. cit.*, and P. C. Mathur, *op. cit.*, p. 36. For a detailed reference to centre-state conflicts after 1967, see Hirendra Nath Roy, "Planning for Development and Union-State Conflicts", paper presented at the Seminar on Union—State Relations in India (1969) organised by the Indian Institute of Advanced Study, typescript, *passim*.

44 See, for example, P. C. Mathur, *op. cit.*, p. 35.

- ii. What *operative* relations between the centre and the states have been developed in the field of education during the plan years of 1951-1974 ?
- iii. What *operative* relationships have been developed in particular in the 'nodal' areas of educational finance and planning ?
- iv. What are the major policy-making and consultative devices developed by the Indian federal polity for decision-making in education ? How do they operate and how effectively ?
- v. What, finally, is the *balance of power* between the centre and the states in education as it has developed through the years under study ?
- vi. What is the policy implication of the findings on the above questions ?

Sources

It may also be appropriate to give here some idea about the sources used for the study. The primary sources consisted mainly of reports. The most important among them were :

- i. Reports of the Constituent Assembly and Lok Sabha debates ;
- ii. Reports of official commissions and committees on education ;
- iii. Reports of official commissions and committees on centre-state relations, finance, planning and related matters. (These also included reports of some such commissions and committees appointed by the state governments) ;
- iv. Reports of statutory commissions like the Finance Commission ;
- v. Annual and other periodical reports of the Union Ministry of Education including the series of statistical compilations periodically published by that ministry ;
- vi. Reserve Bank Bulletins and reports ;
- vii. Reports of official conventions, conferences, seminars, and workshops on centre-state relations, planning, finance and related matters; and
- viii. News-paper reports on relevant matters relating to the period under study.

To the primary sources may also be added some archival material that were used, particularly in the preparation of the historical chapter. But recourse to the archives was rendered mostly unnecessary by the fact that the relevant historical documents were largely available in published selections from educational records.

Secondary sources consisted mainly of published books, research papers, articles and reports of non-official conventions, conferences and seminars.

The above were sources that were available for formal documentation of the study. The writer also had informal access to several current and past records of the Union Ministry of Education and the Planning Commission. He was, however, not free to quote or reproduce from these records except in the case of statistics that are usually published.⁴⁵

Mention has been made in the preface of the benefit the writer has derived from the many and often long discussions he had had with union and state government officers and officers of the Planning Commission. The state government officers, with whom discussions became possible, belonged to almost all states, but due to some fortuitous circumstances not connected with this study, such discussions were more numerous with officers from Kerala, Tamil Nadu, Maharashtra, Rajasthan and Uttar Pradesh.

The writer's understanding, such as it is, of certain aspects of the process of plan formulation was also enhanced by the fact that he was informally able to sit through and observe plan discussions relating to two states during the state plan discussions of 1968.

- 45 The extreme secretiveness of governmental agencies in matters of furnishing information for research purposes is well-known. They betray a tendency (particular in the case of Indian scholars) to treat every trivial information in their possession as *arcana imperii*. No less a person than Prof. Gadgil had occasion to refer to this and cite the surprising instance of the Planning Commission refusing information to even an official body like the Foodgrains Enquiry Commission. See D. R. Gadgil, *Planning and Economic Policy in India*, 1972, Poona, Gokhale Institute of Politics and Economics, pp. 166-67.

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These discussions, like the discussions at the National Development Council, are unfortunately treated as extremely confidential and reports of them are not generally available to the public.⁴⁶

A conceptual framework

It is with some diffidence that a 'conceptual framework' is incorporated here. This diffidence needs explanation.

The 'ethos' of social sciences, like that of natural sciences—their paradigm—is the search for 'objective' truth. 'Objectivity' in the pure sense of that term, that is, in the sense in which it refers to 'a data gathering situation where an observation does not depend on the peculiarities of the observer'⁴⁷ is impossible of achievement in social research. There is an element of bias in all research in social sciences. As Myrdal puts it :

There is an inescapable *a priori* element in all scientific work. Questions must be asked before answers can be given. The questions are all expressions of interest in the world ; they are at bottom valuations. Valuations are thus necessarily involved already at the stage when we observe facts and carry on theoretical analysis, and not only at the stage when we draw... inferences.⁴⁸

This problem has been of much concern to social scientists in recent times. The solution suggested is : 'raise the valuations actually determining our theoretical as well as our practical research to full awareness.'⁴⁹

The 'conceptual framework' here is meant to be an exercise on these lines. The initial diffidence in its incorporation was

46 There are, however, instances of reports of plan discussions being made available to foreign scholars by some state governments. The Tamil Nadu Government, for example, had given Hanson access to one report on the plan discussions relating to that state. See A. H. Hanson, *The Process of Planning*, 1966, London, Oxford University Press, p. 366..

47 Jackson Toby, *op. cit.*, p. 602 (Glossary, *sub voce*).

48 Gunnar Myrdal, *Objectivity in Social Research*, 1969, New York, Pantheon Books, p. 9.

49 *Ibid.*, p. 5.

occasioned by the fact that though the malady is widely recognised, the remedy is less generally accepted. What has helped in overcoming it is the re-assuring thought that if the remedy is not efficacious, it cannot be pernicious either.

Before some of the more important of the propositions that constitute the conceptual framework of the study are specified, it must be stated that each one of the individual propositions here may not possess separate analytical relevance or heuristic value. The framework is like a lens through which facts for study are identified and then seen ; and, like a lens, it works better when it is in one piece.

The propositions, most of which would naturally seem obvious to many students of the social sciences, are :

- i. The educational system in India is a sub-system of Indian society and should, therefore, serve the needs of the latter.
- ii. *Needs* here means not only *necessary conditions of existence* in the tradition of Radcliffe-Brown and the functionalists,⁵⁰ but also necessary conditions of progress towards a normative society.
- iii. The nature of this normative society, in the Indian case, is broadly defined in the Indian constitution and amplified in policy resolutions of the Indian parliament such as the resolution on the socialistic pattern of society.
- iv. The necessary conditions of existence of the Indian society, and its progress towards the accepted normative society are also broadly visualised in the Indian constitution and these policy resolutions.
- v. One of the necessary conditions so visualised is greater *homogenisation* among the people of India which is a highly plural society.

50 For a succinct, yet clear exposition of the concept of 'needs' in this tradition, see Alex Inkeles, *What is Sociology?*, 1965, New Delhi, Prentice-Hall of India, pp. 64-65.

- vi. This homogenisation is sought to be achieved, basically, through the federal system of decentralisation in which distinct socio-cultural entities enjoy sub-system autonomy.
- vii. The formal regulatory arrangements of education envisaged under this federal system are founded on the 'needs' of Indian society as they were perceived by the framers of the Indian constitution.
- viii. The needs of Indian society are, therefore, primary and the regulatory arrangements of education secondary.
- ix. These regulatory arrangements cannot thus claim any finality and can be altered, if the needs of Indian society are seen to demand such alteration.

These propositions, as has been implied above, are not exhaustive by any means. Many more assumptions than these are perhaps implicit in the study. In most cases, however, they are likely to be found either to be extensions of the ones listed here or their corollaries. Again, the propositions themselves and the terminology in general might seem to foreshadow a functional-structural or a systems approach in our analysis. This, however, is not the case. Though advantage will be taken of the insights provided by these approaches, the study does not owe exclusive allegiance to either of them for reasons which need not detain us here.

HISTORICAL PERSPECTIVE

The Evolution of Centre-State Relations in Education (1813-1950)

The momentous decision

The year 1813 may be considered an important landmark in modern Indian history, for, it was in that year that the British *raj* first accepted education as a state responsibility. When the charter of the East India Company came up for renewal, a clause was incorporated in it which made it lawful for the Governor-General-in-Council to spend a specified amount of money on education out of the funds of the company. The clause read :

It shall be lawful for the Governor-General-in-Council to direct that out of any surplus which may remain of the rents, revenues, and profits arising from the said territorial acquisitions, after defraying the expenses of the military, civil and commercial establishment and paying the interest of the debt, in manner hereinafter provided, a sum of not less than one lac of rupees in each year shall be set apart and applied to the revival and improvement of literature and the encouragement of the learned natives of India, and for the introduction and promotion of a knowledge of the sciences among the inhabitants of the British territories in India.¹

The significance of the clause does not lie in the material benefits it brought to education in India; such benefits were patently meagre. Its importance lies in the fact that it was this clause, that ultimately paved the way to the momentous

1 Clause 43, East India Company Act, 1813. B. D. Bhatt and J. C. Aggarwal *Educational Documents in India (1913 -1968)*, 1969, New Delhi, Arya Book Depot, p. 1.

decision of the *raj*, twenty two years hence, to introduce English education in this country. This decision constituted 'one of a series of acts which collectively opened the doors of the West to the East.'²

The educational clause of the Charter Act of 1813 may, in retrospect, appear 'faint, grudging and inadequate'³. But, it marked a turning point in another respect which is closer to our present interest. The East India Company uptill now had not paid any attention to education. The interest of the company lay primarily in consolidating and extending the political power it had gained. Diffused efforts of individual officials of the company did indeed lead to the establishment of educational institutions here and there,⁴ but there was no commitment of policy on the part of the *raj* to the support of education. The Charter Act of 1813 made this commitment and in doing so, set the ground for the beginnings of western education, and of educational administration in India⁵, which is what we are immediately interested in. The provision in the Act was followed up, though belatedly, with the establishment of a General Committee of Public Instruction in Bengal (1823), another in Madras (1826) and a Board of Education in Bombay (1840). The functions of the two committees and the board varied with the presidency; and, their effectiveness depended considerably on the interest shown by the governors presiding over their destiny. In other words, although the Pitts' India Act of 1784 had substantially increased

2 Aparna Basu, *The Growth of Education and Political Development in India, 1898—1920*, 1974, Bombay, Oxford University Press, p. 1. Macaulay's famous Minute, which formed the basis of the decision in favour of western education, was dated 2nd. February, 1835.

3 Raja Roy Singh, "Educational Administration in India", *Administrative Reforms since Independence, Supplement to Indian Journal of Public Administration*, No. 3, Vol. IX, July-September, 1963, p. 220.

4 *The Calcutta Madrassah* and the *Banaras Sanskrit College* are two prominent examples of such individual enterprise. The former was founded by Warren Hastings and the latter by Jonathan Duncan, the Resident at Banaras. For the motivations behind the establishment of the institutions, see Syed Nurullah and J. P. Naik, *A History of Education in India*, 1951 (second edition), Bombay, Macmillan and Co. Ltd., 56—59.

5 Raja Roy Singh, *loc. cit.*

the limited authority that the Governor-General had been initially vested with by the Regulating Act of 1773, he did little to control or direct the educational policies of other parts of the British territory in India. The provinces and the presidencies had considerable freedom to go their own way and their own way they invariably went in matters of education. Thus, education during this period was in effect a *provincial* matter, 'subject only to the distant coordinating authority of the Court of Directors in England'.⁶

Educational authority shifts to the centre

The next definitive period in the history of centre-province relations in education during the *raj* starts in 1833. In that year the charter was again revised. The new charter ushered in a highly centralised system of government. The Government of India Act of 1833, defined the new role of the company's chief executive in India and provided that 'the superintendence, direction, and control of the civil and military government of all the said territories and revenues in India shall be and is hereby vested in the Governor-General and Counsellors, to be styled "The Governor-General of India in Council."⁷ The Governor-General in Council was generally empowered to 'make laws and regulations for repealing, amending, or altering any laws or regulations whatever now in force or hereafter to be in force in the said territories or any part thereof, and to make laws and regulations for all persons, whether British or native, foreigners or others, and for all courts of justice, whether established by his Majesty's charters or otherwise, and the jurisdictions thereof, and for all places and things whatsoever within and throughout the whole and every part of the said territories, and for all servants of the said company within the dominions of princes and states in alliance with the said company...'⁸

Thus, the new Act made the Governor-General the supreme head of the British government in India and the several presi-

6 J. P. Naik, "The Role of the Government of India in Education", *Educational Studies and Investigations*, Vol. I, 1962, New Delhi, National Council of Educational Research and Training, p. 2.

7 Section XXXIX of the Government of India Act, 1833.

8 Clause XIII of the Government of India Act, 1833.

dencies were now subordinate to his council. The unitary system of government that this meant, vested all executive, financial and legislative authority in the central government and the provinces acted only as its agents. As may easily be imagined, education, under the new dispensation, became a purely 'central' subject. Educational authority thus shifted to the centre where the responsibility for education came to be vested; and, it remained there till 1870 when Lord Mayo introduced a system of decentralisation. Administrative difficulties that inevitably arose under this highly centralised system led to occasional delegation of powers to the provinces. Any proposals from the provinces also received the attention and respect appropriate to those coming from 'the authority on the spot'. But, these hardly changed the basic character of the system and education, in spite of them, continued to be a central subject in every sense of the term.⁹

Foundations of educational administration laid

Our task in the present chapter does not call for any detailing of achievements and failures; nor indeed of educational developments in general. But, a brief reference to two significant developments during the period may be of some interest. Of these, we have already made a passing reference to the decision of the *raj*, in 1835, to introduce western education in India. The negative and alienating effects of this education are fairly obvious and are well-known. Yet, the decision was momentous, for, it was to have a determinative influence on the subsequent history of the country.¹⁰

The second development might not be as sweeping and pervasive as the first in its influence, but it certainly marked a

⁹ J. P. Naik, *op. cit.*, p. 3.

¹⁰ It was because of this that Panikkar wrote of Macaulay, the moving spirit behind this decision: "If one were asked to name three Englishmen from the pre-mutiny period, who are likely to be remembered in Indian history... the choice is not likely to fall on the governors-general, commanders, or administrators whose names now loom large in Anglo-Indian textbooks but on Edmund Burke, William Jones and Macaulay". K. M. Panikkar, *A Survey of Indian History*, 1963, Bombay, Asia Publishing House, p. 209.

significant stage in the development of education in India. When the East India Company's charter came up for renewal in 1853, a committee of the House of Lords undertook a thorough enquiry into the educational policy of the British government in India. This resulted in the famous Education Despatch (1854) of Sir Charles Wood. The Despatch imposed upon the government the task of creating a properly articulated scheme of education from the primary school to the university. The document was, therefore, remarkable both for its extensive commitment of the state to education and for its comprehensiveness, covering as it did all levels of education.¹¹ Of greater interest to students of educational administration is perhaps the fact that it laid the foundation of the administrative structure for education in substantially the form in which we found it at the time of the transfer of power.¹² It commended to the Government of India the establishment of separate departments of education in each province, establishment of a university in each presidency town, institutions for the preparation of teachers, setting up of more high and middle schools, greater attention to primary education and introduction of grant-in-aid of education. That the adulatory epithet of the "Magna Charta of English education in India" that the document attracted from some quarters was not entirely unjustified is shown by the fact that, beginning with the Despatch, government subvention to education increased steadily from Rs. 21.6 lakhs in 1856-57 to Rs. 65.7 lakhs in 1870-71.¹³

Decentralisation starts

In this survey of the relations between the central and

11 Raja Roy Singh, *op. cit.*, p. 221.

12 *Ibid.* The Education Commission (1964-66) has gone to the extent of saying that the Despatch laid the foundation for the entire system of present-day education. See *Report of the Education Commission 1964-66*, Ministry of Education, Government of India, p. 109.

13 Atmanand Misra, *Financing Education in India*, 1967, Bombay, Asia Publishing House, p. 184. One is here reminded of a more modern instance of this kind, though the political context is not comparable. The Ashby Commission Report on education in Nigeria (1960), by asking for more money for education, did actually get more money for Nigerian education. See C. E. Beeby, *The Quality of Education in Developing Countries*, 1966, Cambridge (Massachusetts), Harvard University Press, p. 22.

provincial governments in the field of education during the *raj*, we now enter a period when the country's imperceptible march towards federalism begins. By this time Dalhausie had completed the policy of territorial acquisitions; and, by 1856, the map of British India had come to be the same as in 1947. It now became almost impossible to administer the vast Indian Empire as one unit from Calcutta, or from any other centre, for that matter. Administrative convenience and efficiency demanded decentralization.¹⁴

In the field of education itself developments were taking place that made concentration of educational authority at the centre impractical. In the course of the decade after the Despatch of 1854, departments of education had started functioning in all the provinces and a system of grant-in-aid had established itself. The expansion of education that followed the Despatch also, though disappointing in retrospect and from the Indian point of view, was impressive all the same, in the colonial context.¹⁵ In any case, it was large enough to make the *raj* panic for a while immediately after 1857, thinking that it was the proliferation of education that had led to the events of that year.¹⁶

14 B. M. Sharma, *The Republic of India*, 1966, Bombay, Asia Publishing House, p. 15.

15 The figures of expenditure on 'direction' 'inspection' and 'instruction' given in the report prepared for the Secretary of State in 1864, ten years after the Despatch of Charles Wood, will give some idea of educational expansion during the period. For this, see *Selections from Educational Records of Government of India, Vol. I*, p. 37. See also, Ram Gopal, *British Rule in India: An Assessment*, c. 1963, Bombay, Asia Publishing House, p. 221, for figures cited in a statement presented to the House of Lords in 1852.

16 In 1858, Lord Ellenborough in his Despatch (dated 28th April) tried to reverse the policies laid down by the Despatch of 1854 on the ground that they had led to the events of 1857. Fortunately, better counsels prevailed and Ellenborough's recommendations were not acted upon. See Syed Nurullah and J. P. Naik, *op. cit.*, p. 224. There were also other occasions of such panic. In 1897, two British officers were murdered in Poona. Bombay was promptly asked by London to make a thorough enquiry to ascertain whether the educational facilities in the province were responsible for this. If so, the communication asking for the enquiry went on to say, it was time to review a system which had allowed 'such

Political and other developments, therefore, forced the hands of the authorities in the direction of the reversal of the policy of centralisation begun with the Regulating Act of 1773—the Act, it is said, that gave birth to the 'Government of India'.¹⁷ A bill embodying various measures of decentralisation was moved in the House of Commons on 6 June, 1861, by Sir Charles Wood.

At the time of the introduction of the Bill, all legislative power, it may be recalled, was vested in the Governor-General and his Council. The presidencies of Madras and Bombay had been deprived of their legislative powers in 1833, by the Charter Act of that year which we have had occasion to mention. The Act of 1861 created an enlarged legislature for the whole of India by expanding the Council of the Governor-General. It also restored to the presidencies of Madras and Bombay legislative powers which they had enjoyed as long as they were treated as Regulation Provinces, and empowered the Governor-General to create, by proclamation, legislative councils for the erstwhile non-Regulation provinces (namely, North West Provinces and the Punjab), whenever he should deem it proper. Though the powers accorded to the governments of the presidencies and provinces by the Act were greatly restricted,¹⁸ the decentralising character of the Act is obvious.

Beginnings of financial devolution

The 1861 Act did not give the attention it deserved to the question of financial arrangements. These arrangements continued to be centralised, which, therefore, were not in keeping with the legislative and administrative decentralisation that had set in. It took another decade before the situation was rectified by Lord Mayo who, in 1870, introduced a system of financial decentralisation. The Government of India Resolution of December 14 that

perversion of its beneficent purpose'. (Despatch from Secretary of State to Bombay, No. 19 Edn., dated 16.12.1897, cited by Aparna Basu, *op. cit.*, p. 10).

17 J. P. Naik, *op. cit.*, p. 2.

18 For a brief enumeration of these restrictive provisions, see Arthur Berriedale Keith, *A Constitutional History of India*, 1961 (reprint), Allahbad, Central Book Depot, p. 174.

year made over to the provincial governments for administration several departments, including education, with a fixed grant and certain sources of revenue to support them. This devolution of financial authority was, according to the Resolution, based on the principle that as far as possible, the obligation to find the funds necessary for administrative improvements should rest upon the authority whose immediate duty it is to devise such measures.¹⁹

It is obvious that the Government of India Resolution of 1870 did not go far enough in financial devolution. But, the Resolution constituted the first important step in the direction of financial federalisation. Speaking of the Resolution, Prof. K. T. Sha has said:

Not a radical change in the principle of government, this nevertheless made a considerable and welcome step forward. Once taken, there was no going back on the principle of decentralisation; and it *was only a question of time when it would be metamorphosed into a principle of federalism.*²⁰

During 1870 to 1921 further faltering steps of financial devolution were taken to help the provinces meet the growing expenditure of departments made over to them. In 1877 Lord Lytton transferred to the provinces stamp duties, alcoholic excises and income tax collected in the provinces. The Government of India Resolution of 1912 divided further sources of revenue between the Government of India and the provinces. But, the financial system still remained essentially unitary in character.²¹ A proposal for provincial taxation even now required the sanction of the Government of India, the approval of the Secretary of State and the assent of the Finance Department before it could be considered by the provincial government. There was similarly strict control and supervision by the central government on provincial expenditure.²²

19 *Ibid.*

20 K. T. Sha, *Federal Finance in India*, 1929, London, P. S. King and Son, p. 87. Emphasis added

21 K. Venkataraman, *States' Finances in India*, 1968, London, George Allen and Unwin Ltd., p. 27.

22 *Ibid.*

These facts have a bearing on the position of education as a 'provincial subject' that it became in 1870. The Government of India continued to have large powers over education. Financially, its approval was required to all expenditure above a certain level, and to the over-all educational budget of the provinces. Administratively, the sanction of the Government of India was needed to all posts above a given salary. This administrative control was further tightened with the creation of the Indian Educational Service in 1896 when all the important posts in the educational departments of the provinces were placed under its charge. Also, both the central and provincial legislatures had concurrent powers to legislate on educational matters. It was because of this concurrent jurisdiction, as Naik rightly points out, that the Government of India could pass the Indian Universities Act (1904) and could also legislate for the establishment of several universities during this period—Panjab (1882), Allahabad (1887), Benaras (1915), Patna (1917), Aligarh (1920) and Dacca (1920).²³ It was also because of this that Gopal Krishna Gokhale was able, in 1911, to introduce his ill-fated private bill on primary education, modelled on the Compulsory Education Act of England of 1870 and 1876 and on the Irish Education Act of 1892, in the central legislature. The effect of all this was to make education, *pro tanto*, take on the character of a 'concurrent' rather than a 'provincial' subject during the period.²⁴

The interest of the Government of India in education during the period was, however, both uneven and ambivalent. It may be recalled that the Despatch of 1854, while initiating a system of grant-in-aid, had looked forward to a time when the government would no longer have to maintain a system of education. Five years later, in 1859 and again in 1864 the Secretary of State affirmed the position that the aim of the system of grant-in-aid was to stimulate private initiative in education. The recommendations of the Hunter Commission, in the 1880s, further strengthened this line of argument. In its resolution appointing the commission the government itself had said that it would :

23 J. P. Naik, *op. cit.*, p. 3. The only university established during this period by an Act of a provincial legislature was Lucknow (1920).

24 J. P. Naik, *loc. cit.*

Offer every encouragement to native gentlemen to come forward and aid, even more extensively than before, in the establishment of schools opened on grants-in-aid system. It is chiefly in this way that the native community will be able to secure that freedom and autonomy of education which is an essential condition of any sound and complete system. It is not, in the opinion of the Governor-General in-Council a healthy symptom that all the youth of the country should be cast, as it were, in the same government education mould. Rather it is desirable that each section of the people should be in a position to secure that description of education which is most consonant to its feelings and suited to its wants.²⁵

The Commission in its report urged the government once again to withdraw gradually from the direct support and management of education, especially secondary and higher education. During the years immediately following the commission's report, therefore, the government of India 'seemed to be busy divesting itself of power and control, and limiting its financial commitment to education.'²⁶

Early development of federal functions

With the turn of the century the pendulum swung in the other direction. In December 1898 Curzon landed in Bombay as the twenty-fourth Governor-General of British India. Curzon, 'the one masterful figure' to whom the nation was constantly to turn for the coming 'seven long years, now in admiration, now in astonishment, more often in anger and pain'²⁷ declared that if he could frame 'a good education policy, it would not be a bad

²⁵ *Indian Education Commission Report, 1883-4, Vol. 1, p. 451.*

²⁶ Raja Roy Singh, *op. cit.*, p. 224. The considerations behind this could not be (not entirely, in any case) the ones mentioned in the government resolution appointing the Hunter Commission, nor those of economy. There is ample evidence to show that from the time of Lord Dufferin onwards the *raj* had begun to see a direct link between English education and the nascent nationalism. On this, see Aparna Basu, *op. cit.*, pp. 8-9.

²⁷ Gokhale in his presidential address to the Benaras Congress (1905), *Gokhale's Speeches*, Madras, Natesan & Co., pp. 807-808.

season's work'.²⁸ He was convinced that the system of education in India under the *raj* had become 'strangely deficient in central authority and government control'. The doctrine of state withdrawal from education was soon forsaken and there followed a determined effort to regain for the Government of India a commanding position in the direction of educational policy.²⁹ In 1900, the Secretary of State urged on the Government of India the need for continuing government control and guidance of higher education. Financial support by the central government to education was increased. A post of Director General of Education was created at the centre to advise the government on educational matters.³⁰ In a resolution in 1900, the Government of India declared that 'it cannot divest itself of the responsibility that attaches both to its interests and its prerogatives. If it is to lend the resources of the state to the support of certain schools, it cannot abrogate its right to a powerful voice in the determination of the course which is thus imparted.' This position was re-asserted in less strident terms in another resolution in March, 1904.³¹ In 1910, a separate department of education was created in the Government of India.³²

28 In a letter to Godley, dated 1.5.1901. Cited by Aparna Basu, *op. cit.*, p. 6.

29 Naik seems to imply that personality factors were entirely responsible for the change when he says in this context: "The interest shown by the Government of India in education...depended mostly upon the personalities of the Governor-Generals (*sic*)—a Ripon or a Curzon could make education look almost like a 'central subject' while, at other times, it became almost a 'provincial subject'". (J. P. Naik, *loc. cit.*). This would perhaps be an over-simplification. Available evidence shows that the India Office had by then come to the conclusion that it was too late now to go back on Macaulay's decision to introduce Western education in India and that the best that could be done in the situation was to tighten control over the 'educational juggernaut'. (See Aparna Basu, *op. cit.*, p. 10-11). Personality factors could have played a role in the zeal with which this policy was carried out.

30 The post was later abolished, but was revived in 1915 under the new designation of Educational Commissioner.

31 For the resolution, see B. D. Bhatt and J. C. Aggarwal, *op. cit.*, pp. 24-25.

32 Education so far had been one of the responsibilities of the Home Department.

The significance of this period for the student of centre-state relations in education, however, lies in the fact that, in between its waverings in policy, the Government of India managed to identify for itself roles that, in the course of the country's march towards a federal polity, were to develop as full-fledged federal functions in education—functions such as the collection and dissemination of information, coordination and grant-in-aid.

The first recognition of the 'clearing house function' (collection and dissemination of information) can perhaps be traced back to the recommendation of the Indian Education Commission (1882) that the Government of India should bring out quinquennial reviews on the progress of education in India. Later, at the turn of the century, in his address to the Simla Conference of Directors of Public Instruction in India (1901)³³, Curzon, putting in a strong plea for the creation of the post of a Director-General of Education with the Government of India, said in part :

Let me point to another anomaly. Under the system of decentralisation that has necessarily, and, on the whole, rightly been pursued, *we have little idea of what is happening in the provinces*, until, once every five years, a gentleman comes round, writes for the Government of India the quinquennial review, makes all sorts of discoveries of which we know nothing and discloses shortcomings which in hot haste we then proceed to redress".³⁴

The first quinquennial review of education had been published as early as 1886-87. But, with the creation of the post of the Director-General of Education and the separation of Education from Home making it an independent department and the establishment, in 1915, of a Central Bureau of Education, collection of information from the provinces and their dissemination was firmly set on its way of becoming a continuous process.

³³ Incidentally the conference was not a purely official one, for, one of the invitees to the conference was a non-official, Dr. Miller of the Madras Christian College. No Indian educationist, however, was invited which created a great deal of resentment among educated Indians.

³⁴ *Lord Curzon in India*, Vol. II, p. 55. Cited by J.P. Naik, *op. cit.*, p. 4. (Emphasis added)

The coordinating function of the central government was also recognised during this period. Curzon, in his Simla speech had made a reference to this function also. "It is for consideration", he said, "whether such an official in India as I have suggested (Director-General of Education) should, from time to time, summon a representative Committee or Conference, as to keep in touch with the local jurisdictions, and to harmonise our policy as a whole." (Emphasis added). Curzon, while making these remarks, was in fact addressing the first conference of the kind he had in mind. This started a regular practice of convening such conferences for making a periodical review of educational developments in the country. One such conference was held at Allahabad in 1911 and another in 1917. But with the need for greater coordination, the inadequacy of this arrangement was realised and, in 1920, the Central Advisory Board of Education (CABE) was brought into being, with the primary view of 'keeping in touch with local jurisdictions' and assisting the provincial governments with expert advice.

Another function of the central government to be recognised during this period and has now, in the federal context, become almost crucial to centre-state relations in education, was that of financial assistance to the provinces.³⁵ A reference has already been made to the financial decentralisation initiated by Mayo.³⁶ Mayo's reforms were only the beginning; political and administrative necessity forced the hands of the government in the direction of further financial decentralisation. A series of measures were, therefore, introduced between 1870 and the first decade of the twentieth century so that, by the end of that decade, a system of 'central', 'provincial' and 'divided' revenues had come into existence. But, simultaneous with financial decentralisation, a process of administrative decentralisation also had been going on and as a result, the financial commitments of the provinces had grown considerably. The growing demands of the educational juggernaut were exacting, and within the rather inelastic sources of

35 We shall have occasion to study this at some length in a later chapter. See Chapter IV, "Centre-State Financial Relations in Education", *passim*

36 See pp. 31-32, *ante*

provincial revenues, the provinces found it difficult to meet them entirely on their own. The Government of India, therefore, started the practice of central subvention to educational developments in the provinces. Happily, the period of the first two decades of the twentieth century was one of financial buoyancy and with large surpluses in the central fisc, the central government found it easy to share the financial burden of educational expansion in the provinces.³⁷

But, the most important function that the central government 'discovered' for itself and almost relentlessly pursued during the latter part of this period was what Naik rather euphemistically calls 'policy-making'.³⁸ Curzon's viceroyalty marks the beginning and perhaps also the high water-mark of the pursuit of the function. We have had occasion to refer to the importance Curzon attached to education in India. Among the ten questions to which he wanted to give immediate attention, education was only second in importance.³⁹ And, as he looked about him, in education he needed, in his own words, 'but little investigation to show. . . that there was something rotten in the State of Denmark. For years education in India had been muddling along with no one to look after it at headquarters or to observe its symptoms'.⁴⁰ Thus, as we have already seen, Curzon formally abandoned the prevailing doctrine that the state should not interfere in education and inaugurated a period of state intervention and active 'policy-making', resulting in a system almost controlled by the government at the centre. It is not necessary here to go into the political motivations behind this interesting change in the educational policy of the *raj*.⁴¹ For our purposes, it need only be pointed out that in re-asserting 'that responsibility which there had been a tendency to abdicate',⁴² it

37 For the nature of these early central grants to the provinces for educational purposes, see J.P. Naik, *op. cit.*, pp. 5-6

38 *Ibid.*, p. 6

39 Aparna Basu, *op cit.*, p. 6

40 Raleigh, T. (Ed.), *Lord Carzon in India—Selections of His Speeches*, Vol. II, 1906, London, p. 68.

41 For an analysis of these political motivations, see Syed Nurullah and J.P. Naik, *op cit.*, pp 439-40 ; and Aparna Basu, *op.cit.*, pp. 8-11.

42 Curzon in one of his speeches. Cited by Aparna Basu, *op cit.*, p. 11

made the central government the supreme policy-maker in education.

Education in the Government of India Act of 1919.

The Government of India Act of 1919 makes the next turning point in centre-province relations in education during the *raj*. The Act provided for two lists of subjects—central and provincial. The principle underlying this division was that matters in regard to which uniformity in legislation was necessary or desirable for the whole of India or, more than one province, should be regarded as central while others in which only a particular province was interested, should be treated as provincial. Education, with the following exceptions, thus became, under the Act, a provincial subject:⁴³

- (i) The Benaras Hindu University and such other new universities as may be declared to be all-India by the Governor-General-in-Council.
- (ii) Colleges for Indian chiefs and educational institutions maintained by the Governor-General-in-Council for the benefit of members of His Majesty's forces or other public servants or their children.

The authority to legislate on the following subjects was also reserved by the Act for the central legislature, mainly with a view to leave the Government of India free to take suitable action on the report of the Calcutta University Commission :

- (i) Questions regarding the establishment, constitution and functions of new universities.

43 Some historians of education have lamented the decision to make education a provincial subject on the ground that it was based on 'political' rather than 'educational' considerations (See J.P. Naik, *op. cit.*, p. 6). This is *argumentum ad hominem* in so far as its appeal is to the prejudice of the professional educationist against 'politics'. In fact, all questions regarding education at this level of consideration are, in the ultimate analysis, political questions. Interestingly enough, even the questions that Naik himself suggests as the ones that should have been raised at the time of taking the decision, are so obviously political (See J.P. Naik, *loc. cit.*)

- (ii) Questions affecting the jurisdiction of any university outside its province.
- (iii) Questions regarding the Calcutta University and the re-organisation of secondary education in Bengal (for a period of five years).

The designation of education as a provincial subject by the Act of 1919 did not materially change the constitutional position, for, education had been a provincial responsibility for nearly half a century now. What did make such a change was another provision in the Act. The Act did not only provide for a central and a provincial list of subjects; it also introduced the system generally known as *dyarchy* and divided the provincial subjects themselves into two categories : the *reserved* and the *transferred*⁴⁴. The reserved subjects were to be administered by the Governor with the help of the Executive Council and the transferred subjects, with the help of a minister or ministers. While the members of the Executive Council were nominated by the Governor, the ministers were chosen by him from amongst the members of the legislature. The guiding principle in the division of the provincial subjects into 'reserved' and 'transferred' was :

to include in the transferred list those departments which offered most opportunity for local knowledge and social service, those in which Indians have shown themselves to be keenly interested, those in which mistakes which may occur, though serious, would not be irremediable and those which stand most in need of development.⁴⁵

Predictably enough, education, under the provisions of the Act, was placed in the transferred list, with the exception of the education of Anglo-Indians and Europeans which was made a 'reserved' subject.

⁴⁴ Keith considers this, along with the provision for two lists of subjects, 'the essential novelty' of the Act. See Arthur Beniedale Keith, *op. cit.*, p. 247.

⁴⁵ *Montague Chemsford Report*, para 238. Cited by J.P. Jaik, *op. cit.*, p. 6.

The educational arrangements in the Government of India Act of 1919, led to two broad results. Firstly, education became a highly fragmented subject of administration.⁴⁶ It was partly all-India, partly reserved, partly transferred with limitations and partly transferred without limitations.⁴⁷ Secondly, it led to what the Hartog Committee (1929) has rightly described as the 'divorce' of the Government of India from education. The central government almost made a *volte face* on the 'federal functions' that it had developed during the earlier period. The Central Advisory Board of Education was dismantled; the Central Bureau of Education was closed down; recruitment to the Indian Education Service was discontinued; and finally, the Department of Education was deprived of its independent existence. Most important of all, financial support for education from the centre to the provinces dwindled to a nothing. The only function that was suffered to survive to some extent was the 'clearing house' function and the quinquennial reports on the progress of education, happily, continued to be published.⁴⁸

46 This was also the case with many other transferred departments. The ministers in charge of these departments openly lamented this situation. See V.D. Mahajan, *British Rule in India and After*, 1969, S. Chand and Co., Delhi, p.p. 356—357.

47 Government of India Act, 1919. Cited by Atmanand Misra, *op. cit.*, p. 77.

48 The almost complete withdrawal of the Government of India from education looks strange after the vigorous policy of central control and direction followed during the preceding period. It is beyond our brief here to go into the factors motivating the change. But, it would be too simple an explanation to say, as Naik by implication does (See J.P. Naik, *op. cit.*, p. 6) that the *raj* all upon a sudden decided to consider education 'not really very important'. An adequate explanation will have to be sought in exigencies arising out of the high degree of political mobilization during the period between 1901 and 1920 (For this, see A.R. Desai, *Social Background of Indian Nationalism*, 1966 (fourth edn), Bombay, Popular Prakashan, p. 149). The logic of the change in policy seems to be: If education cannot be controlled, it can very well be starved. And, starve it did, thanks to the precipitate decrease in central subvention and the 'joint purse' system in the provinces (For the 'joint purse system', see Arthur Berriedale Keith, *op. cit.*, pp. 247—248; and V.D. Mahajan, *op. cit.*, pp. 358—359).

Education in the Government of India Act of 1935

The stage of history we now enter upon constitutes the epilogue, as it were, to the British *raj* in India and, the prologue to the period with which the substantive part of this study is concerned.

The non-cooperation movement and the growing strength of the struggle for freedom ended the plan of the British for the progressive award of responsible government to India in fiasco.⁴⁹ This resulted in the Simon Commission Report and finally the Government of India Act, 1935. The Act which proposed a limited federation, installed provincial autonomy (though restricted by the large powers vested in the Governor) and made the provincial governments practically independent of the Government of India.

The division of legislative power in the 1935 Act was similar to the one in the Indian constitution. It also, like the latter, provided for three legislative lists—the federal, the provincial and the concurrent. As far as education was concerned, there was no concurrent jurisdiction; education figured only in the federal and provincial lists. The division of legislative jurisdiction in education was as follows :⁵⁰

List I. Federal Legislative List

11. The Imperial Library, the Indian Museum, the Imperial War Museum, the Victoria Memorial, and any similar institution controlled or financed by the Federation.
12. Federal agencies and institutes for the following purposes, that is to say, for research, for professional or technical training, or for promotion of special studies.
13. The Benaras Hindu University and the Aligarh Muslim University.

49 K. Santhanam, *Union-State Relations in India*, 1963 (reprint), Bombay, Asia Publishing House, p. 3

50 Arthur Berriedale Keith, *op. cit.*, p.p. 365—373.

List II. *Provincial Legislative List*

10. Libraries, museums and other similar institutions controlled or financed by the Province.
17. Education⁵¹

As can be seen from the above, the Government of India Act, 1935, put an end to the distinction between 'reserved' and 'transferred' subjects. With this the fragmentation of education was also largely rectified.

But, as it would happen, the Second World War intervened and the federal scheme envisaged in the Government of India Act did not fructify till 1947. During this period of twelve years between 1935 and 1947, however, there was a revival in central interest in education. The Central Advisory Board of Education was resuscitated in 1935 and with this the 'coordinating' function of the central government was resumed with some vigour. The Board addressed itself to the study and discussion of a wide variety of educational issues; it formulated and presented before the nation, on the verge of freedom, the long-term plan of educational reconstruction generally known as the *Post-War Educational Development in India* (1944).⁵² The reconstituted Central Bureau of Education also became active and brought out a large number of publications on various educational problems of the country.

Early years of independence

The first few years of independence was a period of anxiety and struggle. The aftermath of partition was vast misery. The amelioration of this itself was a task that took all the energy and attention of the nascent government at the centre. Then there were

51 This obviously is a residual provision, comprehending, as it does, all educational matters other than those mentioned in the Federal List.

52 Also called the 'Sargent Report' after Sir John Sargent, then Educational Adviser to the Government of India. Nationalist opinion was generally averse to the report, mainly on the score that it postulated a forty-year period for the universalisation of education at the first level. Events after independence have shown that the report had erred only on the side of optimism. The authors of the report, however, had no notion of the compulsions of the tremendous task of development that lay ahead of freedom from foreign domination.

other, equally challenging political, economic and administrative problems. As a result, education could not, during the years between 1946-47 and 1950-51, get the attention it deserved or the attention the government wanted to give it. One of the first acts of the government in the field of education, however, was the creation, in 1947 of a Ministry of Education and Scientific Research. This was followed by the appointment of a high-power commission on university education under the chairmanship of Dr. Radhakrishnan, in 1948. All this was notice enough that the new government at the centre accorded high priority to education and intended to play no mean role in its future development.

THE INDIAN CONSTITUTION AND THE CONSTITUTIONAL BASIS OF CENTRE-STATE RELATIONS IN EDUCATION

The definitional issue

The Indian Constitution is generally accepted to be a federal constitution. The term *federal* in the Indian context has, however, created a great deal of controversy. Several jurists, political thinkers and public men have questioned the federal character of the Indian constitution. The renowned political scientist Wheare, for instance, has characterised it as 'quasi-federal'. The Indian constitution, he said, had established a 'system of government which is at most quasi-federal, almost devolutionary in character, a unitary state with subsidiary federal features rather than a federal state with subsidiary unitary features'.¹ Others have sought to pin to it labels like 'fedro-unitary' and 'pseudo-federal'. This has obviously been, as pointed out by Bombwall, due to the wide endowment of authority to the centre, the union parliament's power to alter unilaterally the boundaries of the constituent states, the 'normative' and coordinating authority which the centre can exercise in some segments of the area of state autonomy and the provision for a virtual abrogation of federal relations during emergencies.² It is not proposed to enter into this controversy here, nor is it necessary for the present purposes. We may revert to this theme of the putative primacy of the union in the Indian federation later in the discussion. Here, it need only be pointed

1 K.G. Wheare, "India's New Constitution Analysed", *Allahabad Law Journal*, Vol. XLVIII, No. 6, February, 1950. For a strong refutation of Wheare's views, see V.G. Rama Chandran, "Aspects of Federalism" in S.P. Aiyer and Usha Mehta (Ed.), *Essays in Indian Federalism*, 1965 Bombay, Allied Publishers, pp. 57—58.

2 K.R. Bombwall, *The Foundations of Indian Federalism*, 1967, Bombay, Asia Publishing House, p. 323.

out that the term 'federal' is used in the present context only in recognition of the two levels of government in India and the delimitation of their original jurisdiction in the constitution.³ These indeed were also the criteria emphasised by Dr. Ambedkar himself in the Constituent Assembly⁴ while joining issue with those who cast doubt on the federal character of the constitution.⁵

The task ahead

The conventional method of enquiry into a federal system usually takes a formalistic turn and is oriented to the structural relationships envisaged in the constitution between the federal government and its component units. This approach is succinctly reflected in Dicey's memorable and oft-quoted phrase: "Federalism . . . means legalism".⁶ Such an approach has its obvious limitations. But even the opposite approach of concentrating attention on the *actual* roles and relationships of the two levels of government in a federal set-up (sometimes designated as the 'functional approach'⁷) must, to be meaningful, start with a study

³ This is the sense in which the term is used by most modern writers in the field. See Swarthout and Earnest R. Bartley, *Principles and Problems of American National Government* 1965, (second edn), New York, Oxford University Press, p. 89; A.V. Dicey, *Introduction to the Study of the New Law of the Constitution*, 1952 (ninth edn), London, Macmillan, p. 15; and K. Santhanam, *Union State Relations in India*, 1960, New Delhi, Asia Publishing House, p. 8. Cf. also Subba Rao J., dissenting judgement in *State of West Bengal v. Union of India*, AIR. 1963, S.C. 1241, p. 1269.

⁴ *Constituent Assembly Debates*, Vol. XI, p. 976.

⁵ These included well-known parliamentarians like Loknath Misra and P.T. Chacko.

⁶ A.V. Dicey, *op cit.*, p. 175. It may be noted here that the word 'federation' does not occur in the Indian constitution. Article 1 of the constitution declares that India 'shall be a Union of States'. But the word 'Union' held no particular significance and did not detract from the federal character of the constitution, as was explained by Dr. Ambedkar in the Constituent Assembly. (See *Constituent Assembly Debates*, Vol. VII, p. 43). In fact, in not explicitly using the word 'federation', the constitution conforms to the tradition set by the majority of federal constitutions in the world. The constitutions of the United States and the British North America Act, 1867, however, use the term.

⁷ See, for example, Abhijit Dutta and Mohit Bhattacharya, "A Functional Approach to Indian Federalism—Case Study of Indian Development", *Indian Journal of Public Administration*, Vol. XIII, No. 2, April-June 1967; P.R. Dubashi, "Unitary Trends in a Federal System", *Journal cited above*, Vol. VI, No. 3, 1960.

of the formal arrangements in the constitution. This is one of the tasks attempted in this chapter.

No constitution in the world, however, is an accident. Constitutions have a history and an 'etiology'. "Federal governments", says Frankfurt, "are not the offsprings of political sciences; they are the product of economic and social pressures". It is this fact that makes most constitutions a variant of their type.⁸ The essential nature of a federation, therefore, is to be sought, as Livingston insists, not in the shadings of legal and constitutional terminology but in the forces that have made the outward forms of the federation necessary.⁹ The Indian constitution is no exception to this principle. It also is a product of historical developments; its provisions can thus be understood only in the background of these developments. It will not be, therefore, out of place here to make also a brief survey of the emergence of the federal idea in India, its growth and the immediate political compulsions behind the final consummation of this idea—the Indian constitution—before we turn to the educational provisions enshrined in it.

The emergence and growth of the federal idea

Institution-building within a federal arrangement is notoriously difficult.¹⁰ It has been proved incalculably so in the new nations of Asia and Africa. Compared to the experience of these nations, constitution-making in India has been exceptionally easy. This has been possible, as Rajni Kothari has rightly pointed out,¹¹ because of antecedent agreements on 'fundamentals'. As far back as in 1904, Sir Henry Cotton had mooted the federal idea in his presidential address to the Indian National Congress. "The ideal

8 Russel W. Maddox and Robert F. Fuquay, *State and Local Government*, 1962, Princeton, D. Van Nostrand Company, p. 13. See also Santhanam, *op. cit.*, p. 2.

9 William S. Livingston, *Federalism and Constitutional Change*, 1956, Oxford, The Clarendon Press, p. 1.

10 Roy E. Jones, *The Functional Analysis of Politics*, 1967, New York, Routledge and Kegan Paul, p. 46.

11 Rajni Kothari, *Politics in India*, 1970, New Delhi, Orient Longmans, p. 101.

of an Indian patriot", said Cotton, "is the establishment of a federation of free and separate states, the United States of India, placed on a fraternal footing with the self-governing colonies, each with its local autonomy cemented together under the aegis of Great Britain".¹² About a decade later, in 1915, G.K. Gokhale in his *Political Testament* said: "The grant of political autonomy foreshadowed in the Delhi Despatch would be a fitting concession to make to the people of India at the close of the war".¹³ In 1924, Dewan Bahadur T. Rangachariar moved a resolution in the Bengal Legislative Assembly entreating the Governor-General in-Council to take steps for revising the Government of India Act so as to secure for India full self-governing dominion status within the British empire and *provincial autonomy* in the provinces.¹⁴ By the end of that decade, this consensus on the desired future political set-up for the country had reached a point when it was possible for the Motilal Nehru Committee appointed by the All Parties Conference of 1928, convened by the Congress and attended by as many as thirty-four political groups to spell out, in a comprehensive manner, the features of free India's future polity. It recommended, among other things, a parliamentary and federal structure of government.¹⁵ Later, a clear and emphatic acceptance of the federal solution to the Indian problem was to be found in the Report of the Indian Statutory Commission of 1929.¹⁶ The Commission stated its belief that the evolution of the Indian political system would be in the direction of federalism and recommended the setting up of a Council for Greater India, con-

12 Cited by Bharati Ray, *Evolution of Federalism in India*, 1967, Calcutta Progressive Publishers, p. 35.

13 *Ibid.*

14 *Ibid.*, p. 36. Emphasis added.

15 Rajni Kothari, *op. cit.*, p. 101. It is indicative of the help the founding fathers got in the onerous task of constitution-making for independent India from thinking on the issue during the preceding decades that thirteen of the nineteen rights enumerated in the Motilal Nehru Report were included, without any material change, in the chapters on fundamental rights, and the directive principles of state policy.

16 S. P. Aiyar, "The Federal Idea in India", in S. P. Aiyar and Usha Mehta (Ed.), *Essays on Indian Federalism*, 1965, Bombay, Allied Publishers, p. 3.

sisting of representatives of British India and the Indian states, with the Viceroy as President. The commission thought of this as the first step towards the establishment of the federal system. "The whole scheme for the Council", said the commission, "is designed to make a beginning in the process which may one day lead to Indian Federation".¹⁷

The Indian Statutory Commission was an all-white commission and was vehemently opposed by Indian political opinion. Sir John Simon, the chairman of the commission, therefore, suggested to the British Prime Minister that, after the completion of the work of the commission, His Majesty's Government should meet in a conference with both the representatives of British India and those of the states for the purpose of seeking the greatest possible measure of agreement for the final proposal which it would later be the duty of His Majesty's Government to submit to the parliament.¹⁸ This suggestion was accepted by the British Government and thus followed the Round Table Conference which met in three sessions.

It is probably no exaggeration to say that the early foundations of the Indian political system as it exists to-day were laid at the Round Table Conference.¹⁹ The last session of the Round Table Conference which met in November 1932 was not a conspicuous success, for various reasons.²⁰ The British Government, however, proceeded to issue a White Paper containing a detailed outline of the new constitution in the form of proposals. The proposals were examined by a Joint Select Committee of the two houses of the British parliament and finally enacted into the Government of India Act, 1935.

It is not needed here to go into the details of the provisions of

17 *Report of the Indian Statutory Commission*, 1929, Vol. II, p. 206. See *Ibid.*, p. 4.

18 Bharati Ray, *op. cit.*, p. 41.

19 S.P. Aiyar, *op. cit.*, p. 12.

20 For a detailed discussion of these, see Arthur Berriedale Keith, *A Constitutional History of India, 1600-1935*, 1936, London, Methuen, pp. 294-308.

the Government of India Act of 1935.²¹ But, it is worth pointing out that the Indian constitution is modelled on that Act; indeed, many Articles of the constitution have been lifted, word for word, from it.²² The correspondence between the scheme of federation envisaged in the 1935 Act and the present constitution is so close that the latter has been, not entirely without justification, described as a 'palimpsest of the Act'.²³

This brief and, therefore, necessarily sketchy chronicle of constitutional developments during the early decades of the century was attempted only to show the extent of prior agreement in the country on the nature of the future Indian polity. Such large agreement on a vital issue such as this could not indeed be a mere historical accident. It was the result of certain imperatives for federalism inherent in the Indian situation. What then were these imperatives?

The basic and perhaps the most obvious compulsion behind Indian federalism is the vast size of the country and its socio-cultural plurality. This is what prompted Rasheeduddin Khan to say: 'India's polity is federal twice over.' Political federalism is super-imposed over a geographical and socio-cultural federalism. Indeed, the long survival and the continuity of the latter in history makes India the largest and the most persistent plural society, 'the like of which human history has never known'.²⁴

Physically, the country stretches over some 12,59,794 square miles, a forty-fourth of the world's land area, and covers almost the entire gamut of climatic conditions. The continental dimensions of the country have led some to describe it as 'a mere geogra-

21 For a highly readable discussion of the Act, see K. R. Bombwall, *op. cit.*, pp. 185-222. For the reaction of national leaders like Pandit Jawaharlal Nehru to the Act, see Jawaharlal Nehru, *The Discovery of India*, 1967 (reprint), Bombay, Asia Publishing House, pp. 387-389.

22 This is not to suggest that the political basis of the Act and the constitution is the same. On this point, see K. Santhanam, *op. cit.*, p. 5.

23 N. Srinivasan, *Democratic Government in India*, 1954, Calcutta p. 143.

24 Rasheeduddin Khan, "The Regional Dimension", *Seminar*, (164), April, 1973, p. 33.

phical expression as Europe or Africa²⁵; others have refused to concede that it was one country.²⁶ Unitarianism in a country of this size, for obvious reasons, is administratively inexpedient,²⁷ as has been repeatedly shown by its history.²⁸ Justice, P. N. Saprú was, therefore, only right when he said: "Our founding fathers wisely did not establish for this country a completely unitary government in which there was no distribution of sovereignty among the various units composing it. Any such attempt would have...broken down as India is too vast a country to be governed as a completely unitary state."²⁹

The physical dimensions of the country is only matched by its socio-cultural plurality. India has been sometimes compared to a fruit with the combined properties of a tangerine and an onion. Like a tangerine India is divided into segments—linguistic, regional, religious and tribal. And, like an onion, it is composed of a succession of layers—castes and socio-economic classes, with the layers of each segment unconnected with the layers of other segments.³⁰ Referring to this variety of India's culture and society, Pandit Nehru wrote, in his simple but inimitable style:

The diversity of India is tremendous; it is obvious; it lies on the surface and anybody can see it. It concerns

- 25 Sir John Seeley in *The Expansion of England*. Cited by K. R. Bombwall, *op cit.*, p. 31. In the same vein, John Bright once referred to India as a country "with its twenty different nations and its twenty different languages".
- 26 See John Strachey, *India, Its Administration and Progress*, 1903 (third edn.), London, p. 2.
- 27 Amal Ray, *Inter-Governmental Relations in India*, 1966, London, Asia Publishing House, p. 11.
- 28 For centrifugal tendencies in early Indian polity, see K. P. Jayaswal, *Hindu Polity: A Constitutional History of India in Hindu Times* (Parts I and II), 1943, Bangalore, The Bangalore Printing and Publishing Co., Ltd., pp. 359-364.
- 29 Agra University Lectures 1953, cited in William O. Douglas, *We the Judges*, p. 38.
- 30 Myron Weiner, "A Note on Communication and Development in India" in Daniel Lerner and Wilber Schramm (Ed.), *Communication and Change in Developing Countries*, 1967.

itself with physical appearances as well as certain mental habits and traits. There is little in common, to outward seeming, between the Pathan of the North West and the Tamil in the far South.³¹

Cultural particularism, manifesting itself through historically integrated geographical units has, as Amal Ray points out, always acted as a check on any tendency towards centralisation in Indian history.³² The Maurya empire provided the archetype of the polity towards which India constantly tended. In its organisation, this empire was the antithesis of the monolithic, centralised Roman empire. It was a kind of pristine federalism in which regional autonomy was recognised and respected.³³ During the Muslim period, an effort was made to establish a centralised state. This was understandable, for, the rulers being a minority community depended for the stability of their rule on the loyalty, primarily, of their co-religionists. The state, thus tended to be a 'police state' which touched the life of the common people only marginally; the latter, largely, were left to manage their affairs through traditional institutions of the village.³⁴ The polity, under such circumstances, did not, naturally, reflect the imperatives of the socio-cultural life of the people.³⁵ Even so, the attempt at centralisation was only a partial success; centrifugal

31 Jawaharlal Nehru, *op. cit.*, p. 62. 'The Pathan of the North West' can be easily substituted by the 'Sikh of the North' to-day.

32 Amal Ray, *op. cit.*, p. 10. Also Indian Institute of Public Administration "Centre-State Relations---The Issues" in S. N. Jain *et al* (Ed.), *The Union and the States*, 1972, Delhi, National, p. 1.

33 Beni Prasad, *The State in Ancient India*, cited by K. R. Bombwall, *op. cit.*, p. 34.

34 K. R. Bombwall, *op. cit.*, p. 37.

35 This does not mean that regional considerations were entirely ignored by the Muslim rulers. On the contrary, concern was shown for linguistic and socio-cultural homogeneity in the delimitation of provinces. In his memoirs, *Tuzk-i-Jehangiri*, Jahangir mentions how his father, Emperor Akbar, was conscious of the fact that provinces should coincide with linguistic-cum-cultural regions of India. The over-riding considerations, however, were political and strategic. See Rasheeduddin, *op. cit.*, p. 37.

forces asserted themselves when 'supermen ceased to occupy the throne at Delhi.'³⁶

Indian society was thus essentially federal in nature. "Centralisation", declared Dr. Jayaswal after his well-known study of the Hindu polity, "was against the genius of the race"³⁷. This genius was rooted in the vastness of the territory which the race inhabited and its socio-cultural diversity.³⁸

The second imperative for federalism was what Jefferson, in another context, called 'local egoisms'.³⁹ This was not, as can be easily seen, entirely unconnected with the imperative we have already discussed. Given the vastness of the country and its socio-cultural diversity, the emergence and the crystallisation of local consciousness and local patriotism was only a natural development. The growth of nationalism later would have itself, as a simultaneous sociological process, given birth to sub-national identities.⁴⁰ Political developments after the transfer of power from the East India Company to the crown, however, anticipated this process.

The Charter Act of 1833 had sought to give a completely centralised character to the British administration in India.⁴¹ It took away from the provincial governments their legislative and

36 K. R. Bombwall, *op. cit.*, p. 37.

37 K. P. Jayaswal, *op. cit.*, p. 362.

38 This diversity itself may be due to geographical factors. For a perceptive discussion of the influence of geography on Indian history, see K. M. Panikkar, *Geographical Factors in Indian History*.

39 See Paul H. Appleby, *Public Administration for a Welfare State*, 1961, Bombay, Asia Publishing House, p. 66.

40 Rasheeduddin Khan, "Self-view", *Seminar* (132), August, 1970, p. 22.

41 V. D. Mahajan and Savitri Mahajan, *British Rule in India and after* (eighth edn.), 1969, New Delhi, S. Chand and Co., p. 304. Interestingly enough, in interpreting the 1833 Act, which ostensibly aimed at creating a powerful 'central metropolitan government' in India, the Court of Directors found it necessary to stress the need for a certain measure of devolution of authority in the actual conduct of relationship between the imperial government and the provinces. See K. R. Bombwall, *op. cit.*, p. 38.

financial powers and vested them in the Governor-General who was made responsible for the superintendence, direction and control of the whole civil and military government of all territories and revenues of British India.⁴² The process of centralisation, however, had to be soon reversed. The kind of 'centralised imperialism' envisaged in the Charter Act of 1833 and similar measures had become 'more and more impracticable' reminding one of the famous 19th century French author and statesman who had pointed out a century ago that though a continental country could be successfully governed centrally, it could not be successfully administered that way. A process of devolution of power was, therefore, initiated starting with the Councils Act of 1861 and culminating in the Government of India Acts of 1919 and 1935.⁴³ The foundations of provincial autonomy were thus gradually but firmly laid.

The policy of decentralisation may have been, to start with, prompted by the needs of efficient administration. But, soon, it transformed itself into a 'control strategy' in the hands of the British. The national awakening in the country that had become manifest well before the Indian National Congress was established in 1885, had by the 1920's become a national upsurge, no more confined to the westernised elite.⁴⁴ The British sought to slow down this high degree of political mobilization through the creation of decentralised structures of decision-making and the sponsoring of intermediate interest groups.⁴⁵ The policy was 'to turn the attention of the people from the highest

42 Section 39, Charter Act, 1833. See V. D. Mahajan and Savitri Mahajan, *op. cit.*, pp. 304-305.

43 K. Santhanam, *op. cit.*, pp. 2-3. For a brief survey of constitutional developments in India during the British period, See V. D. Mahajan, and Savitri Mahajan, *op. cit.*, Chapter XIX, pp. 289-425.

44 Amal Ray, *op. cit.*, p. 15. For a brief but competent survey of this upsurge from a Marxist angle, See R. Palme Dutt, *India To-day*, 1970 (second Indian edn.), Calcutta, Manisha Grandhalaya, pp. 319-353.

45 As a device for containig political mobilization, this is not entirely unknown to the newly independent countries of Asia and Africa. See Roger Scott, "The Politics of New States" in Roger Scott (Ed.), *The Politics of New States*, 1970, London, George Allen and Unwin Ltd., p. 46.

fortress to the important provincial posts and to divert popular energy to capturing them".⁴⁶ That this indeed was, in no mean measure, the actual result of the successive measures of decentralisation has been pointed out by many historians.⁴⁷

British intentions behind the policy of decentralisation however, need not detain us here. What concerns us is its outcome. The policy brought about a change in the 'articulation pattern', to use a modern expression, of Indian politics; the provinces became foci of political activity. With this, they acquired a new political consciousness. The provincial legislatures helped them to build up a local parliamentary tradition. Political groups and parties arose in different provinces and they acquired a vested interest in provincial autonomy.⁴⁸ A provincial political elite came into existence.⁴⁹ In sum, the provinces acquired a 'personality' of their own, which transformed them into sub-national identities that later exerted a strong pull towards federation in Indian constitutional development.⁵⁰

- 46 A picturesque description used by Asoka Mehta and Achyut Patwardhan.
- 47 See for instance, Thompson and Garrat, *Rise and Fulfilment of the British Rule in India*, 1958, Allahabad, p. 540.
- 48 A Krishnaswami, *The Indian Union and the States*, 1940, Oxford, Pergamon Press, pp. 6-7.
- 49 Writing about the Government of India Acts of 1919 and 1935, Morris-Jones observes: "The Acts...effected an important change in Indian political life: they introduced on to the stage the provincial politicians". Morris-Jones, *Parliament in India*, 1957, London, p. 17. Years later at the dawn of freedom, many political writers were to make dismal prophecies about the future of the Indian nation on the basis of the ascendancy of these 'regional elites' in the states. See for instance, Selig S. Harrison, *India: The Most Dangerous Decades*, 1965 (reprint), Madras, Oxford University Press, especially, Chapter III, pp. 55-78.
- 50 It may be noted, in passing that once the provinces had acquired a distinct sub-national identity and been given representative government, linguistic states (the 'federating' units of the Indian Union to-day) were only a logical outcome. The common man would not have been able to derive much benefit out of provincial autonomy unless the provinces were also linguistic. See for the emergence of linguistic states, in the federal context, N. C. Roy, "The Growth of Linguistic States in the Indian Federation" in S. P. Aiyar and Usha Mehta (Ed.), *op. cit.*, p. 210-222.

Two other factors that strengthened the trend towards a federal state structure in India may also be mentioned. These were, to use an expression which is far from felicitous, 'Hindu-Muslim antagonism and the existence of the so-called native states. There is no need to go in detail into these problems here as their importance now is only as historical determinants of the federal idea in India.⁵¹ The picture of the socio-political context of the emergence of Indian federalism, will not, however, be complete without at least a brief reference to them.

The relevance of the Muslim problem to federalism in India arose from two facts. In the first place, though the Muslim community in India constituted a minority, they were too numerous to receive what a perceptive writer on the issue calls 'the conventional minority treatment'.⁵² Secondly, Indian Muslims, for various reasons which need not detain us here, looked upon themselves as a distinct political entity. These two facts, however, did not constitute *sufficient* condition for active Hindu-Muslim antagonism. As Palme Dutt justly points out, the kind of Hindu-Muslim conflicts associated with British rule, especially with the latter part of it, was not in evidence before. There were wars between states which might have Hindu or Muslim rulers; but these wars, at no time, took on the character of a Hindu-Muslim clash. Hindu and Muslim rulers freely employed members of the other community to the highest positions in the state.⁵³ But, the British imperial rule in India borrowed from history the old Roman motto of *divide et impera* and adopted it as their 'manipulative strategy' against the nascent Indian nationalism.⁵⁴ They incited and politicised communities in India (the

51 There are many authoritative discussions available on the two problems. For one interesting and fairly comprehensive discussion of them, See R. Palme Dutt, *op. cit.*, pp. 438-481.

52 Percival Spear, "The Position of the Muslims Before and After Partition" in Philip Mason (Ed.) *India and Ceylon: Unity and Diversity*, 1967, London, Oxford University Press, p. 31.

53 R. Palme Dutt, *op. cit.*, p. 455.

4 Lord Elphinstone, the then Governor of Bombay, had written in a minute dated May 14, 1859: "*Divide et impera* was the old Roman motto and it should be ours". Cited by B. M. Sharma, *The Republic of India*, 1966, Bombay, Asia Publishing House, p. 437.

chief amongst which, naturally, was the Muslim community) and through a series of measures, invested them with an exclusive juristic-cum-political identity. These were then sought to be juxtaposed against the now rapidly emerging composite identity.⁵⁵ In the political situation created by this policy and the fact that Muslims constituted a majority in several provinces of British India, federalism seemed to offer a natural and, perhaps, the only satisfactory solution to the Hindu-Muslim problem in much the same way as federalism had provided a solution to the English-French problem in Canada.⁵⁶

The 'native' or, as they were sometimes called, 'Indian states'⁵⁷ were also a problem created by the British. The latter divided India into unequal segments, some 563 of them, ranging from states like Hyderabad, as large as Italy, with a population of nearly a million and a half, to the Simla Hill States which were little more than small holdings. This vivisection of the country, irrational in character on the face of it, went far beyond an administrative arrangement (which in reality it was not) and affected its social, economic and political life. The British rule at first sought to terminate this 'motely disarray of India'. In the early decades of the 19th century, when British domination was still confidently advancing, a policy of annexation was actively followed. As has been rightly remarked, Lord Dalhousie (1848-56), by his *Doctrine of Lapse* had anticipated Sardar Patel by about a century.⁵⁸ But the Revolt of 1857 proved to be a turning point here also, as indeed it was in many other aspects of British

55 Rasheeduddin Khan, *op. cit.*, p. 24. For an informative discussion of the Muslim problem in the context of Indian nationalism, See A. R. Desai, *Social Background of Indian Nationalism*, 1966 (fourth edn.), Bombay, Popular Prakashan, pp. 390-417.

56 Part of the blame for the success of the 'divide and rule' policy of the British must be laid at the doors of the nationalist leadership of the country. See R. Palme Dutt, *op. cit.*, pp. 469-481.

57 To call them 'states' is really a misnomer. None of them possessed the basic attribute of a modern state, namely, sovereignty. See R. Palme Dutt, *op. cit.*, pp. 438-439.

58 K.V. Rao, *Parliamentary Democracy of India*, 1965, Calcutta, The World Press Private Ltd., p. 297.

rule in India. The revolt was the last attempt by the former rulers of the country and the feudal forces they represented to reverse the tide of British domination. With its suppression, the feudal forces ceased to be a menace and potential rival to British rule in India. The danger now was from the growing national awakening in the country and the policy was consciously adopted of preserving the princes and fashioning them as the bulwark of British rule in India.⁵⁹ The Queen's Proclamation of 1858 marked the ushering in of the new policy, "We shall respect", said the Proclamation, "the rights, dignity and honour of the Native Princes as our own"⁶⁰.

As nineteenth century India disappeared and national aspirations became more articulate, the British sought to build up the princes as a political pressure group. As early as 1906, we find Lord Minto playing with the idea of establishing an Imperial Advisory Council consisting of ruling chiefs and territorial magnates. Lord Hardinge and his successor, Lord Chelmsford, initiated and developed the practice of collective consultation with the ruling chiefs and finally in 1921, following a recommendation made in the Montford Report, the Chamber of Princes was set up. Later, when it became evident that responsible government at the centre could not be stalled for long, the British wanted to bring the states into the new constitutional set-up.⁶¹ The purpose, of course, was clear. In the words of Lord Reading, uttered in a rare moment of political honesty, it was to 'get what steadying influence' they could against the demand for independence and the right to secede from the Empire.⁶² But, the princes, as was but natural, had no intention of allowing a British Indian legislature to assume the Viceroy's powers.⁶³ Obviously, they could be persuaded to associate with British India in any constitu-

59 A.R. Desai puts it rather mildly, almost euphemistically when, speaking about the princely order, he says: "Its very survival was due to the decision of the British government to perpetuate it for political reasons". A.R. Desai, *op. cit.*, p. 181.

60 Cited by R. Palme Dutt, *op. cit.*, p. 440.

61 K.R. Bombwall, *op. cit.*, pp 54-55.

62 See R. Palme Dutt, *op. cit.*, p. 448.

63 E. Thompson and G.T. Garratt, *op. cit.*, p. 573.

tional arrangement that might be devised only on a federal basis.

These, then, were the imperatives in the Indian situation that made federalism inevitable. These imperatives, however, had operated (particularly, the last two) in the direction of a broad consensus in favour of a federal polity based on a *minimal* centre and *maximum* autonomy to constituent units. But, the Indian constitution, as we had occasion to notice elsewhere,⁶⁴ creates a 'paramount' centre.⁶⁵ This shift in the direction of federal development in the country is important, for it is only in the light of this shift and the political compulsions behind it that the Indian constitution and its working can be understood.

Centripetal tendencies after independence

The advent of freedom in 1947 was unfortunately accompanied by the division of the country. This had a far-reaching impact on Indian federalism as it was embodied in the Indian constitution. As we have seen, the two factors in the Indian political situation that had largely contributed to the general agreement in favour of a federal set-up with a weak centre and strong provincial autonomy were the Hindu-Muslim question and the problem of the princely states. With partition and the establishment of Pakistan, one of these two major reasons for curbing the long-cherished nationalist aspirations for a united Indian polity with a strong centre had been removed. Presenting the Second Report of the Union Powers Committee to the Constituent Assembly, Mr. N. Gopalaswami Ayyangar took note of the development and recorded the reaction of the members of the committee to it, in the following words :

⁶⁴ See p. 45, *ante*

⁶⁵ The controversy about the Indian constitution is not on this primacy of the centre. It is on whether the large powers bestowed on the centre do damage to the federal principle (See K. R. Bombwall, *op. cit.*, p. 32). Viewed from this angle, this whole controversy reduces itself to a question of labelling.

Now, sir, when this committee met after its first report had been presented, we were relieved of the shackles which we had imposed on ourselves on account of the acceptance of the Cabinet Mission Plan⁶⁶ and the committee came to the conclusion that we should make the centre in this country as strong as possible...⁶⁷

Under the firm and determined leadership of the late Vallabhai Patel, 'that far-sighted statesman, as Lord Mountbatten called him, the difficult task of integrating with the rest of the country the princely states, not a few amongst whom were ambivalent to the idea initially, was also accomplished with surprising dispatch and smoothness. This also had an impact, similar to the one that followed partition on Indian federalism and the constitution. The achievement indeed was one 'that should redound to the credit of any nation or people at any phase of history'.⁶⁸ But, its significance for constitution-making was that the constitution now did not form, in the words of the great Sardar himself 'an alliance between democracies and dynasties'.⁶⁹ There was thus no need to keep the nexus between the centre and the federating units deliberately loose. As a result, 'the constitution which was framed at the integration of the states provided (for) a strong democratic government at the centre'.⁷⁰

The centripetal tendencies that came to the fore following partition and the integration of the native states were reinforced by the political climate of the country immediately after independence. At no other time in the history of free India did the

66 The Cabinet Mission Plan was the last attempt to solve the constitutional problem of India on the basis of a federation with a weak centre and large autonomy to the units. The first report of the Union Powers Committee had been prepared on the basis of this plan.

67 *Constituent Assembly Debates*, Vol. V, p. 39. The report also said elsewhere: "Now that partition is a settled fact,...it would be injurious to the interests of the country to provide for a weak central authority..." (*Ibid.*, Appendix A, p. 58).

68 Sardar Patel during the Constituent Assembly discussions. *Constituent Assembly Debates*, Vol. X, p. 161.

69 *Ibid.*, p. 164.

70 P.K. Sharma, *Political Aspects of States' Reorganisation in India*, 1969, New Delhi, Mohuni Publications, p. 246

country face so many and such serious challenges. There was, for instance, the mounting pressure on the internal law and order situation, arising mainly from communal riots on a large scale. There was also the huge problem of rehabilitating the refugees who were arriving in their thousands from across the border. Then there were the economic difficulties that followed partition as its aftermath. It is a tribute to the political maturity of the Indian leaders of the post-independence era, that most of these problems were sorted out in a relatively short time.⁷¹ But, they served as an object lesson illustrating the need for a strong centre to the constitution-makers as well as the multitudes who watched them at work.

The founding fathers were perhaps also influenced by what may be called a trans-national factor. As would be obvious even to the most casual observer, federal states the world over have shown a tendency towards centralisation. This has happened even in the 'ideal federal state', the United States of America, where as a result, the word 'government' itself is to-day, as Maddox and Fuquay put it, synonymous with the 'national government' in the minds of the ordinary citizen.⁷² Dr. Ambedkar obviously had this tendency in mind when he said in the Constituent Assembly that however much one denied powers to the centre, it was difficult to prevent it from becoming strong.⁷³ The constitution-makers preferred to take note of this tendency instead of, as Alladi put it while speaking in the Constituent Assembly, leaving it to the Supreme Court to strengthen the centre by a process of judicial interpretation.⁷⁴ The result was that all attempts in the Constituent Assembly at the resurrection of the earlier idea of a minimal federation was strongly and successfully resisted.⁷⁵

71 Rajni Kothari, *op. cit.*, pp. 109-110.

72 Russell W. Maddox and Robert F. Fuquay, *op. cit.*, p. 15.

73 *Constituent Assembly Debates*, Vol. VII, p. 42.

74 *Ibid.*, p. 335. An instance of such augmentation of federal powers through judicial interpretation in USA is the doctrine of implied powers propounded by the United States Supreme Court in 1819 in *McCulloch v. Maryland*. Wide application of this doctrine has in no small measure been responsible for the large broadening of the scope of federal powers in later years in the United States.

75 The amendment moved by K.T. Sha in this direction is an example. See *Ibid.*, p. 399.

We had occasion to point out that federal constitutions are not modelled on paradigms in theory; they are products of socio-economic and political pressures.⁷⁶ What has preceded was an attempt to delineate, broadly though, those pressures in the case of the federal constitution of India. It is in the background of these that one should try to understand the provisions of the constitution including those relating to education, to a discussion of which we now turn.

Constitutional provisions regarding centre-state relations

We have seen that the chief characteristic of a federal state is the co-existence of two governments—the general or federal government and the governments of the federating units.⁷⁷ This necessarily involves the division of government powers between the federal government on the one hand and the governments of the units on the other⁷⁸, thus giving plenary powers of legislation, among other powers, to both of them⁷⁹ and at the same time, setting limits to their legislative and other jurisdictions.

The division of legislative power in the Indian constitution is made in the provisions of Part XI of the constitution which relate to 'Relations between the Union and the States' and the entries in the three lists of the Seventh Schedule. The relevant Articles of Part XI of the constitution lay down that the Indian parliament may make laws for the whole or any part of the territory of India while the legislature of a state may do so only for the state or a part of it; that the parliament has exclusive power to make laws with respect to any of the matters enumerated in List I of the Seventh Schedule;⁸⁰ that both the parliament and the state legislatures have concurrent powers of legislation

76 See p. 47, *ante*.

77 See p. 45-46, *ante*.

78 Thus Dicey says: "The distribution of powers is an essential feature of federalism". *Law of the Constitution*, cited by B. M. Sharma, *op. cit.*, p. 391n.

79 Dr. Durga Das Basu, *Annotated Constitution of India*, 1972 (second edn.), Calcutta, S. C. Sarkar and Sons, p. 237.

80 Article 246 (1)

with respect to List III ;⁸¹ and that state legislatures have exclusive power of legislation with respect to List II⁸². They also vest residuary powers of legislation with the parliament.⁸³ The entries in the three lists of the Seventh Schedule enumerate, as must be evident from the above, the heads of legislation within the jurisdiction of the union, the state and within the concurrent jurisdiction of both.

It is not necessary here to go into the basis and the principles governing the division of legislative powers in a federation.⁸⁴ In the Indian case, the distribution of powers in the Indian constitution has generally followed the pattern of the Government of India Act, 1935,⁸⁵ which too provided for three legislative lists. If it deviates from the 1935 Act, it has only been to make the pattern set by that Act more rigorous by making the lists far more exhaustive, 'the intention of the framers obviously being to cover every possible matter likely to fall within the field of government activity'.⁸⁶ The Indian constitution thus makes perhaps the world's most elaborate and detailed distribution of powers between the federation and its constituent units.

81 Article 246 (2)

82 Article 246 (3)

83 Article 248. Item 97 of the Union List also vests residuary powers with the Union. The item reads in part : "Any other matter not enumerated in List II or List III..."

84 For a brief, but competent discussion of these, See B. M. Sharma, *op. cit.*, pp. 391-394.

85 In his letter forwarding the Second Report of the Union Powers Committee, Nehru said : "In the matter of distributing of powers between the Centre and the Units, we think that the most satisfactory arrangement is to draw up three exhaustive lists on the lines followed in the Government of India Act, 1935..." (*Constituent Assembly Debates* Vol. V, p. 60). It may be interesting here to note that the three lists in the 1935 Act themselves were based on the Devolution Rules made under section 45-A of the Government of India Act of 1919. The Rajmanner Committee appointed by the Government of Tamil Nadu in 1969 to go into the problem of centre-state relations makes an insinuating reference to this lowly origin of the three lists. See Government of Tamil Nadu, *Report of the Centre-State Relations Enquiry Committee*, 1971, Madras, p. 5.

86 K. R. Bombwall, *op. cit.*, p. 276.

In assessing the three legislative lists, as a background to an examination of the entries in them relating to any given area of legislation—in the present case, education—one is naturally tempted to make a comparison between their size and content. In size, the Union List contains 98,⁸⁷ the Concurrent List 47 and the State List 66 items. The extensiveness of the Union List is, therefore, striking.⁸⁸ It must also be kept in mind that in the event of any repugnancy between a law made by the parliament and that made by a state legislature, it is the former that prevails⁸⁹ so that in principle the union can effectively absorb the entire field covered by the 47 items of the Concurrent List by the simple expediency of legislating on them.⁹⁰

A rough analysis of the content of the State List will provide ample indications of the balance of power struck in the Indian constitution with respect to legislative jurisdiction. Such an analysis shows that about 30 (that is, nearly half) of the 66 items of this list deal with ordinary police functions and some 22 or so with measures of taxation.⁹¹ Only the remaining 14 items pertain to 'development' which is to-day the most crucial concern of any emerging nation. Among what we have called police functions are also included such innocuous items as 'Pilgrimages, other than pilgrimages to places outside india' (Entry 7), 'Burials and burial grounds; cremations and cremation grounds'

87 Originally only 97. The list was extended by the Constitution (Sixth) Amendment Act, 1956 which added another item to the list (Entry 92A).

88 This is, however, not to forget that the entries in the list (as also those in the other two lists) are of an enabling character. They do not prescribe any duty to legislate. (*State of Bihar v. Kameshwar, A. 1962 S.C. 252*).

89 Article 254. For case law on this point, see Dr. Durga Das Basu, *op. cit.*, p. 243. It may also be well to remember here that many people like Santhanam have argued that several items included in the Concurrent List are really not of national concern. See K. Santhanam, "The Demand for Greater Autonomy" in S. N. Jain *et al* (Ed.), *The Union and the States*, 1972, Delhi, National, p. 77.

90 Fears of this happening were indeed expressed in the Constituent Assembly by such perspicacious students of constitutional law as Shri K. Santhanam. See *Constituent Assembly Debates*, Vol. VII, p. 263.

91 K. V. Rao, *op. cit.*, p. 318.

(Entry 10) and 'Betting and gambling' (Entry 34).⁹² Again, the number of entries relating to development, though small in itself, can be misleading. In several cases, the amplitude of these entries have been constricted by entries in the Union List.⁹³ Entry 24, one of the most important entries in the State List, is perhaps a good example.⁹⁴ The entry reads : "Industries subject to the provisions of [entries 7 and 52] or List I."⁹⁵ The entry, as can be seen, is made subordinate to two entries in the Union List which invests the union with considerable powers in the field of industry⁹⁶. The Rajamannar Committee appointed by the Government of Tamil Nadu and referred to earlier⁹⁷ found these entries 'considerably hampering the industrial progress of the states and destroying their initiative'.

An assessment of the three legislative lists on these lines seems to lead one to the conclusion that the Union List both in its size and content is more substantial than the State List. This does not, however, mean that every item of legislation included in the latter is of a lesser significance. There are important heads of legislation included in the State List also. Education, is obviously one of them.⁹⁸

Education in the Indian constitution

Provisions relating to education are spread over several parts of the Indian constitution. In Part IV of the constitution relating

92 *Ibid.*

93 Education itself, as we shall later see, is an instance of this.

94 K. V. Rao, *op. cit.*, p. 318.

95 Words enclosed in parenthesis were substituted by the Constitution (Seventh Amendment) Act, 1956, s. 28, for "Entry 52".

96 Entry 7 and entry 52 of the Union List read as follows :

'7. Industries declared by Parliament by law to be necessary for the purpose of defence or for the prosecution of war.

'52. Industries, the control of which by the Union is declared by Parliament by law to be expedient in the public interest.'

97 Footnote 85, *ante*

98 This is not to forget that there are those who argue that the inclusion of education in the State List is a measure of its relative lack of importance in the scheme of things of the founding fathers.

to the Directive Principle of State Policy⁹⁹ there are the provisions which lay down the educational desiderata the country should strive to achieve. There is the provision in Part XVII of the constitution which invests the union with the responsibility to see that facilities are available to linguistic minorities for instruction in their mother tongue at the primary stage. Then there are the provisions in Part III which guarantee certain educational and cultural rights to individuals and minorities based on religion or language¹⁰⁰. Finally, there are the provisions that divide legislative power in education between the union and the states.

The relevance of the provisions in Part III and IV of the constitution for union-state relations in education lies largely in the fact that 'the state' includes, for the purposes of both these parts "the Government and Parliament of India and the Government and Legislature of each of the States and all local and other authorities within the Territory of India or under the control of the Government of India".¹⁰¹ Thus, when Article 45 (Part IV) directs that the state *shall* endeavour to provide, within a period of ten years from the commencement of the constitution for free and compulsory education for all children until they complete the age of fourteen years, it is addressed not only to the states, but, to both the union and the states equally, and also the local authorities. The union, therefore, has, under Article 45, the duty to see that the constitutional directive regarding free and compulsory education is implemented. It cannot also be said that the union is entirely without powers for the discharge of this duty. Legal opinion seems to hold that in the exercise of the admittedly vast powers vested in the union regarding the

99 The most important distinguishing feature of the Indian constitution, not to be seen in other constitutions except those of Ireland (Eire) and Burma, is Part IV of the constitution entitled 'Directive Principles of State Policy'. The provisions of this part embody the philosophy of the constitution. They are, however, not justiciable.

100 The Articles in the three parts of the constitution referred to here are: Articles 29 and 30 (Part III); Articles 41, 45 and 56 (Part IV); and Article 350A (Part XVII) inserted by an amendment in 1956.

101 Article 12. Article 36 makes this definition of 'the state' applicable to Part IV of the constitution also.

allocation and distribution of resources and revenues between itself and the states, it may legitimately discriminate among the states on the basis of the fulfilment of this directive.¹⁰² It may also be constitutional for the union to use the numerous central agencies to exert pressure on the states for its fulfilment. The University Grants Commission, for instance, may make its munificence contingent on the fulfilment by the states of the constitutional directive regarding universal education. Some constitutional experts have gone to the extent of suggesting the use of Article 356¹⁰³ in very extreme cases of recalcitrance or failure on the part of the states.¹⁰⁴ The contention is that the directive principles being 'vital provisions of the constitution', there is no reason why their non-fulfilment should not attract the remedial clauses of the constitution relating to situations in which the government of the state cannot be carried on in accordance with the provisions of the constitution. Take again the provision in Part XVII of the constitution regarding facilities to linguistic minorities for instruction in their mother tongue at the primary stage inserted by the Constitution (Seventh Amendment) Act, 1956. The Article (350A) reads: "It shall be the endeavour of every state and every local authority within the state to provide adequate facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups and the President may issue such directions to any state as he considers necessary or proper for securing the provision of such facilities." The far-reaching nature of this provision, in the context of a federal set-up, is obvious.

Coming to part III, the interesting case of the Kerala Education Bill shows how the fundamental rights relating to education guaranteed in that Part (Articles 29 and 30) can be a vehicle of union authority in education which, as we shall

102 See P. K. Tripathi, "Legislative Relations Between the Union and the States and Educational Planning" in G. S. Sharma (Ed.), *Educational Planning: Its Legal and Constitutional Implications in India*, 1967, Bombay, N.M. Tripathi Pvt. Ltd., p. 11.

103 The Article, as the marginal note to it indicates, relates to the 'failure of constitutional machinery' in the state.

104 See for instance, P. K. Tripathi, *loc cit*.

presently see, is a subject exclusively within the legislative jurisdiction of the state. The Bill proposed to take over some schools under state control and to regulate the salaries and appointments of teachers in private schools. The Christian and also the Nayar organisations which ran a large number of private schools in Kerala objected to the Bill on the ground that it invaded the rights of minorities guaranteed in Part III of the constitution. The Bill was reserved by the Governor, who, constitutionally, is an agent of the President and therefore, of the central government, for presidential assent. The Bill had finally to be modified before it could be put on the statute book.¹⁰⁵

The main constitutional provision regarding education, however, is to be found in the Seventh Schedule, at entry 11 of List II. The entry reads: "Education, including universities, subject to the provisions of entries 63, 64, 65 and 66 of List I and entry 25 of List III".¹⁰⁶

The entries of List I and III referred to are as follows :

List I—Union List

63. The institutions known at the commencement of this constitution as the Benaras Hindu University, the Aligarh Muslim University, and the Delhi University, and any other institution declared by Parliament by law to be an institution of national importance.
64. Institutions for scientific or technical education financed by the Government of India wholly or in part and declared by Parliament by law to be institutions of national importance.

¹⁰⁵ See K. Santhanam, *op. cit.*, p. 24. Also see Alice Jacob, "Centre State Governmental Relations in the Indian Federal System" in S. N. Jain *et al* (Ed.), *op. cit.*, p. 30, on the factual point whether the Bill was reserved for presidential assent by the Governor on his own or on the advice of the Kerala Ministry.

¹⁰⁶ This entry and the entries in the other two lists mentioned in it do not exhaust all the constitutional provisions regarding education. There are a number of other entries in the three legislative lists which would affect education considerably. For these, see P. K. Tripathi, *op. cit.*, pp. 12-13. They are, however, not very relevant to our purposes.

65. Union agencies and institutions for
 - (a) professional, vocational or technical training, including the training of police officers; or
 - (b) the promotion of special studies or research; or
 - (c) scientific or technical assistance in the investigation or detection of crime.
66. Coordination and determination of standards in institutions for higher education or research and scientific and technical institutions.

List III—Concurrent List

25. Vocational and technical training of labour.

There obviously is considerable overlapping in the scheme of distribution of legislative power regarding education visualised in the constitution. Referring to this, Naik writes ;

On a very close examination of all the provisions of the constitution which have a bearing on education, one cannot help the feeling that there is an element of basic contradiction in the role which the constitution attempts to assign to the Government of India in education. On the one hand the constitution takes the simple stand that education, with all residuary powers, is a state subject *except* for a few special aspects specified within the constitution itself. But, the real trouble starts when the enumeration of these 'exceptions' begins¹⁰⁷

Naik goes on to enumerate these exceptions and then concludes : "These exceptions are so large that they circumscribe the state authority for education very materially."¹⁰⁸

The most crucial exception, made in entry 11 of the State List itself, which as we have seen is the basic constitutional

107 J. P. Naik, "The Role of the Government of India in Education", NCERT, *Educational Studies and Investigations*, Vol. I, 1962, New Delhi, p. 9.

108 *Ibid.*

provision regarding education, is entry 66 of List I. Of the other exceptions, entries 63, 64 and 65 of List I relate to certain institutions and agencies and, therefore, pose no difficulty. This is also true about the last exception, namely, entry 25 of List III, for, this entry attracts provisions of the constitution relating to concurrent legislation.¹⁰⁹ It is the first exception that presents problems of 'harmonious construction.'

The prevailing legal view seems to be that entries 63 to 66 of List I are 'carved out' of the subject of 'education' and in respect of these entries, the power to legislate is vested exclusively in the parliament, even though they relate to 'education including universities'. In the case of entries 63 to 65 of List I, once they have been 'carved out' of education, there is no question of their overlapping with entry 11 of List II for reasons we have already seen. Overlapping is possible only in the case of entry 66 of List I and entry 11 of List II. To the extent of such overlapping, the power conferred by the former on the union must, according to existing constitutional law, prevail over the power of the state under entry 11 of List II.¹¹⁰ In other words, once it is held that a state legislation relates to the coordination and determination of standards in higher education or would directly affect the power of parliament relating to that subject, the state legislation would be invalid, whether or not parliament has actually exercised its power under entry 66 of List I. The now famous case, *Gujarat University v. Shri Krishna*, illustrates the principles of constitutional interpretation in this regard.¹¹¹

The Gujarat University Act, 1947, as amended in 1961 made either Gujarati or Hindi or both exclusive media of instruction and examination within the jurisdiction of the Gujarat University. The constitutional point raised before the Supreme Court in the case was whether the State of Gujarat, acting through the

¹⁰⁹ These provisions are contained in Article 254. For a competent discussion of the meaning of the principle of repugnancy which this Article lays down and case law relating to it, see Dr. Durga Das Basu, *op. cit.*, p. 254.

¹¹⁰ Dr. Durga Das Basu, *op. cit.*, p. 399.

¹¹¹ A. I. R. 1963, S. C. 703.

Gujarat University, could do this. The court held, by a majority,¹¹² that *the state had no power to do so*. Its reasoning ran thus : The power to prescribe an exclusive medium would ordinarily be covered both under "Education including universities" in the State List and, under "Coordination and determination of standards in institutions of higher education" in the Union List. What came under the latter, however, could not at the same time also fall under the former. Further, entry 11 in the State List *expressly reduces the content of the state power reposed therein* by adding the words "subject to the provisions of..."¹¹³ Thus, held the court, as soon as it is found that medium of instruction falls under entry 66 of the Union List (which is explicitly mentioned after the proviso), it logically follows that it is "carved out" from entry 11 of the State List.¹¹⁴

This was the general principle. The court further held that the power to prescribe an exclusive medium of instruction did *in fact* fall under entry 66 of the Union List. The ground for doing so was that it had a "direct bearing and impact" upon coordination and determination of standards in institutions of higher education.

That the Supreme Court in this case turned down as invalid legislation which fell clearly within the powers assigned to the state is important enough but, what is really noteworthy is that the state law was not invalidated on the basis of any conflict with a union statute, for, there did not exist any such statute on the question raised in the case. It has been invalidated simply for want of power. Justice Sha, who delivered the majority verdict said :

The validity of state legislation on university education and as regards the education in technical and scientific institutions not falling within entry 64 of List I would have to be judged, having regard to whether it impinges on the field reserved for the union under entry 66. In other

¹¹² Subba Rao J. dissented from the majority judgment.

¹¹³ See p. 68, *ante*.

¹¹⁴ P. K. Tripathi, *op. cit.*, p. 14.

words, *the validity of state legislation would depend upon whether it prejudicially affects coordination and determination of standard, but not upon the existence of some definite union legislation directed to achieve that purpose*¹¹⁵.

What Tripathi, among the numerous jurists who have dwelt on this judgment, has to say on its implications bears reproduction :

(The reasoning of the court) threatens the power of the states on 'education' and 'universities' with virtual extinction. Because if what is comprehended in 'coordination and determination of standards' is to be excluded, or 'carved out' from state jurisdiction, the loss may not be confined to 'medium' of instruction, but may extend to courses, syllabi, classification and qualifications of teachers, and, in fact, to any area of policy in regard to higher education worth the name. With the reasoning, perhaps, even secondary education might be brought under the union on account of its impact on standards of higher education.¹¹⁶

One might add that even primary education can be conceivably so brought under the legislative jurisdiction of the union.

The most charitable view that can be taken of the judgment, as indeed many constitutional experts have done,¹¹⁷ is that it is an unfortunate aberration. The dissenting opinion on the judgment itself advanced another principle of constitutional interpretation in such cases, the principle of pith and substance.¹¹⁸ The Supreme Court also, not before long after the judgment, had perhaps begun to realise that the majority opinion in the case had gone too far ;

115 AIR 1963 S. C., p. 716. Emphasis added.

116 PK Tripathi, *op. cit.*, pp. 14-15. Words within brackets added.

117 *Ibid.*, p. 14.

118 The doctrine of pith and substance lays down that if an enactment *substantially* falls within the powers expressly conferred by the constitution upon the legislature which enacted it, it cannot be held to be invalid merely because it *accidentally* encroaches upon matters assigned to another legislature. See *Manmohan v. State of Bihar* A. 1961, S.C., 189.

and, had started the process of restricting its application to the question of medium alone.¹¹⁹ In *Chitralekha v. State of Mysore*,¹²⁰ for instance, the court in 1964 rejected the argument, based on the Gujrat University case, that the state could not lay down an oral test, administered through a selection committee, for admission of students to engineering and medical colleges. Such a test, it was argued, would affect 'coordination and determination of standards' in these institutions. The court obviously did not want its reasoning on the earlier occasion to be applied also to procedures of admission.

The Gujrat University case only shows how far one can go in interpreting the existing constitutional provisions regarding education. In all probability the Supreme Court is not likely to persist in the stand it took in that case.¹²¹ But this does not change the basic position which is that in the case of conflict between union legislation under entry 66 of List I and under entry 11 of List II, union legislation will prevail.

The preceding discussion may be summed up as follows : Though 'education including universities' has been assigned to the states as an exclusive head of legislation, the union has, under entry 66 of List I, considerable powers of legislation in the area of higher education and research and education in scientific and technical institutions. The union may also make its presence felt in secondary education through powers devolving on it as an incident of power under 66 of List I. Further, important responsibilities are vested in the union regarding education, including the primary

119 P. K. Tripathi, *op. cit.*, p. 17.

120 A. I. R. 1964 S. C. 1823.

121 As in the USA the judiciary in India is empowered to revise its opinion (Article 137). That this constitutional provision is made ample use of is shown by, for instance, case law on fundamental rights (On this, see K. V. Rao, *op. cit.*, 146-232). The high rate of turn-over of judges in India also contributes in no small measure to the 'transience' of judicial interpretations. This incidentally also explains why we do not have any 'Marshall Doctrine' as in the USA or any 'Griffiths Doctrine' as in Australia.

level of education, through a number of provisions in the constitution.¹²²

Another conclusion also seems worth recording. Lord Radcliffe in his 1951 Reith Memorial Lectures said of Hamilton that at every page of his arguments in *The Federalist* he seemed to say :

Make up your minds as to what you really want ; that is the first essential thing. If you really think it best to place this or that branch of your affairs under the authority of some larger union, then give it frankly the powers it needs to make its control effective. Do not be afraid or half-hearted in what you are doing, or take back with one hand what you give with the other.¹²³

The Indian constitution, at least in its provisions regarding education has not been conspicuously heedful of Hamilton's advice.¹²⁴ In saying this, no value judgment, however, is intended.

Education in some other federal states

At this stage, it may not be entirely inappropriate to turn for a while to some other federations in the world and have a quick look at the educational arrangements in their constitutions. This should

122 Attention is confined here to express provisions of the constitution. A large variety of 'derived' powers (eg., implicit, resultant and inherent powers) are not taken into consideration. (For these, as applied to the American constitution, see 'Russell W. Maddox et al, *op. cit.*, pp. 14-15). Naik, in his discussion of the role of the government of India in education 'as it ought to be' seems to lean heavily on some of these 'derived' powers. See J. P. Naik, *op. cit.*, pp. 20-31.

123 Lord Radcliffe, *The Problem of Power*, 1952, London, Comet Books (Collins), p. 63. Hamilton was co-author with Madison and Jay of *The Federalist* papers.

124 Naik has sought to explain this. He postulates three reasons : (i) That the Indian constitution has sought to create a strong centre; (ii) That states will not be able to develop education unless the centre played a 'prominent' role in it; and (iii) That the role of the federal government in other federations was growing 'in certain directions which it would be very advantageous for India to copy'. (J. P. Naik, *op. cit.*, p. 20). Critics would characterise the explanation as basically apologetic.

give us a wider perspective on our own constitutional provisions regarding education. The federations chosen here for this exercise are the United States of America, Canada and the Commonwealth of Australia. The choice hardly needs any explanation. The United States of America is generally considered to be the nearest approximation to a 'pure' federation in the classical sense of the term and its constitution 'the pioneer of its kind'.¹²⁵ As Lipson so aptly puts it, when George Washington was inaugurated President of the United States, something else also was inaugurated with him. This was the principle of a new and a stronger type of union between states, the federal union, the like of which was unknown in earlier history.¹²⁶ Education in the American constitution is, therefore, bound to be of interest. As for Canada and Australia, these are among the most important of the other major federations of the world and their constitutions have, in many ways, influenced our constitution-makers.¹²⁷

(i) *United States of America*¹²⁸

The United States had had a long tradition of local control of education. Both geographical necessity and political 'mores' fixed

125 Lord Radcliffe, *op. cit.*, p. 61. The latter fact has led Radcliffe to consider the making of the American constitution to be 'one of the most important events in modern history'. (See *Ibid.*)

126 Leslie Lipson, *The Great Issues of Politics*, 1973 (fourth edn), Bombay, Jaico Publishing House, p. 325.

127 In a similar exercise, Naik has included the U.S.S.R. also. (See J. P. Naik, *op. cit.*, pp. 19-20) This does not seem to be appropriate, for, the one-party system in that country, the monolithic nature of the party, and the peculiar nature of the relation between the party and the state place the USSR in an altogether different class.

128 In the comparative study that follows, the interest is obviously in constitutional provisions. The growing trend in all federations of a shift in educational authority from the 'periphery' to the centre is not taken into account here. In the case of America, there have been several studies of this trend. Among these, Hales, though published in mid-fifties, is still valid and is one of the most competent. See Dawson Hales, *Federal Control of Public Education*, 1954, New York, Teachers College, Columbia University.

the control of education in the local units.¹²⁹ One of the delicate issues with which the constitutional convention of 1788 had to deal, therefore, was education. At one point in the drafting of the constitution, education was tentatively included among the subjects under the jurisdiction of the federal government.¹³⁰ This, however, was an arrangement which did not greatly appeal either to the Federalists, who advocated a strong centre or to the anti-Federalists, though for different reasons. The former were opposed to mass education and therefore, also to a national system of education. The latter stood for the education of the masses, but were wary of delegating authority over education to the federal government lest it should use it as a means of augmenting its power. Thus, we find that the first ever federal constitution of the world, the constitution that 'invented' federalism,¹³¹ does not even mention education. Education, therefore, becomes a state subject by virtue of the Tenth Amendment which reads : "The power not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."¹³² The states, consequently, provide for education in their constitutions, legislate for its support and control, and administer the system so established. What is known as the American system of education is, therefore, fifty distinct state systems, alike, may be, in some respects, but different in many more.¹³³

The only power the federal government is said to have in education is of an 'implied' nature. They are derived from what is usually known as the 'general welfare clause' which appears twice in the constitution. The preamble to the constitution says : "We the People of the United States, in Order to form a more

129 Walter D. Cocking and Charles H. Gilmore, *Organisation and Administration of Public Administration*, 1938, Washington, U. S. Government Printing Office, pp. 9-10.

130 S. E. Frost, Jr., *Introduction to American Education*, 1962, New York, Doubleday and Company, Inc., p. 246.

131 Leslie Lipson, *op. cit.*, p. 324.

132 S. E. Frost, Jr. *op. cit.*, p. 246.

133 *Ibid.*, p. 233.

perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the *general Welfare* and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."¹³⁴ In Section 8. the clause reads: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and *general Welfare* of the United States..."¹³⁵

(ii) Canada

The present Dominion of Canada emerged out of a union of British and French colonies. The union was brought about by the combined pressure of three powerful forces.¹³⁶ An economic depression had struck the maritime settlements of Nova Scotia, New Brunswick, and Prince Edward Island. They sought recovery from its aftermath through a wider political frame-work. Again, a unitary government had proved unworkable for the French and English inhabitants of Quebec and Ontario and they cast about for a more workable governmental set-up. Finally, cool relations with the United States and a determination to hold the West for Canada strengthened the argument for a national authority. Federal union seemed an obvious solution to these problems. But the recent experience of the American Civil War and the near dissolution of the American union led British and Canadian statesmen to the conclusion that the federal government in Canada must possess more powers than its counterpart in the United States of America. It is because of this that we find that the Canadian constitution, the British North American Act, 1867, takes a position dramatically opposed to the American constitution as regards residual powers. The federal government of the United States was organised on the principle that its powers were delegated to it by the federating states which retained the residue¹³⁷. The Canadians took the position that powers were delegated to

134 *Ibid.*, p. 247. Emphasis added.

135 *Ibid.* Emphasis added.

136 Leslie Lipson, *op. cit.*, p. 326.

137 See p. 51, *ante*.

the provinces by the dominion which reserved for itself the residual powers.

Thus, the Canadian constitution-makers, like their Indian counterparts, had sought to create a strong centre. It is, therefore, interesting to note that the British North American Act, all the same, assigns exclusive jurisdiction over education to provincial legislatures. The relevant clause of the Act reads ¹³⁸:

In and for each Province the Legislature may exclusively make laws in relation to Education, subject and according to the following provisions :

(1) Nothing in any such law shall prejudicially affect any Right or Privilege with respect to Denominational Schools which any class of Persons have by law in the Province at the Union ;

(2) All the Powers, Privileges and Duties at the Union by law conferred and imposed in Upper Canada on the Separate Schools and School Trustees of the Queen's Roman Catholic Subjects shall be and the same are hereby extended to the Dissident Schools of the Queen's Protestant and Roman Catholic Subjects in Quebec ;

(3) Where in any Province a System of Separate or Dissident Schools exists by Law at the Union or is thereafter established by the Legislature of the Province, an Appeal shall lie to the Governor General in Council from any Act or Decision of any Provincial Authority affecting any Right or Privilege of the Protestant or Roman Catholic Minority of the Queen's Subjects in relation to Education ;

(4) In case any such Provincial Law as from Time to Time seems to the Governor General in Council requisite for the due Execution of the Provisions of this Section is not made, or in case any Decision of the Governor General in Council on any Appeal under this Section is not duly executed by

138 Cited by Joseph Katz, *Education in Canada*, 1974, Hamden (Connecticut), Archon Books, pp. 24-25.

the proper Provincial Authority in that Behalf, then and in every such Case, and as far only as the Circumstances of each Case require, the Parliament of Canada may make remedial Laws for the due Execution of the Provisions of this Section and of any Decision of the Governor-General-in-Council under this section.

The long provisos contained in the clause can only be understood in the background of the cultural mosaic of the Canadian society. Although Canada is officially a bilingual and bicultural society, in the sense of the English and the French being the founding peoples, it is in reality a multicultural society, in which people from all continents of the world are represented.¹³⁹ This has given rise to acute problems of linguistic and religious minorities.¹⁴⁰ The provisos, as can be easily seen, are intended for safeguarding the interests of these minorities. They do not, therefore, materially change the basic constitutional position regarding education, for, they are not comparable to the "exceptions" made in the Indian constitution to entry 11 of the State List. Education in Canada is, therefore, essentially under the exclusive jurisdiction of the provinces.

(iii) *Australia*

Australia became a federation only in 1901, which makes it one of the latest 'variations on the federal theme'¹⁴¹. Before 1901, it comprised six self-governing colonies under the British crown. Late in the 19th century it was realised that some form of union was desirable in Australia and a series of inter-colonial conferences was held. The result was the adoption of the present system in which colonies became states with legislative and executive powers divided between the central (Australian) and the local (state) parliaments and governments. The constitution which brought about this and is described as 'the political compact of the people of Australia', though drafted by conventions of Australian statesmen, derives its legal force from

139 *Ibid.*, p. 21.

140 J. P. Naik, *op. cit.*, p. 15.

141 Leslic Lipson, *op. cit.*, p. 326.

its enactment by the British Parliament at the request of the Australian colonies.¹⁴²

Australia does not suffer from any of the cultural, religious and linguistic complications that the Canadians face.¹⁴³ The vast majority of the Australian population are Europeans; the aborigines are too few and too weak to count for much, politically or otherwise. Again, 95% of the European population is drawn from the British Isles.¹⁴⁴

The constitutional position of education in Australia is the same as in the two federations we have already studied¹⁴⁵ unless we take into consideration, in the case of Canada the guaranties made to religious, linguistic and other minority groups. Article 107 of the Australian constitution lays down:

107. Every power of the Parliament of a Colony which has become or becomes a State, shall unless it is by this Constitution exclusively vested in the Parliament of the Commonwealth or withdrawn from the Parliament of the State, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the States, as the case may be.¹⁴⁶

The powers vested in the Parliament of the Commonwealth are enumerated in Article 51 and 52 and together number 62. Edu-

142 Australian Information Service, *Government* (Reference Paper), 1973, (place of publication not indicated), p. 3.

143 See p. 79, *ante*.

144 See Australian Information Service, *Australia : Handbook 1973*, Sydney, pp. 42-49.

145 Naik, in his study of the role of the federal government in education in Australia says : "Australia is an example of the weakest role that a federal government can ever play in education" (J. P. Naik, *op. cit.*, p. 14). Since, the author does not, in his study, make a consistent distinction between the 'normative' role of the federal governments as envisaged in their constitutions and their actual role, he is obviously referring here to the former.

146 Commonwealth of Australia, *The Constitution* (as altered to 31 August, 1967), 1967, Canberra.

cation does not figure among the subjects mentioned under these articles. Thus it is a responsibility of the states.¹⁴⁷

We have, in this chapter, had a look at the position of education in the Indian constitution against the background of the emergence and growth of the idea of federalism in the country. We also had a glance at education in the constitution of some other federations. The inevitable conclusion seems to be that the Indian constitution gives the federal government in India more powers than any major federal constitution of the world, or, in any case, more powers than the ones that we have studied.

147 See also, Phillip E. Jones, *Education in Australia*, 1974, Hamden (Connecticut), Archon Books, p. 100.

CENTRE-STATE FINANCIAL RELATIONS IN EDUCATION

Educational finance, it has been rightly said, is like an iceberg. As with icebergs, so with financing of education, the obscure is often more important than the obvious. The effect of financial inputs on an educational project is patent to every one; what is not equally visible is the impact on the project of the conditions under which the latter came by these inputs.¹ It is in this context that union-state financial relations in education, which we briefly seek to examine in this chapter, assume importance.²

Federal finance: problems and principles

Finance constitutes an essential—even a vital—ingredient of government, whether unitary or federal. In a unitary government the problem of finance is mainly that of raising resources and, therefore, easy. Financial arrangements in a federal set-up, however, present peculiar problems which make

- 1 This sounds elementary, but many developing nations, on an international plane, have suffered due to an inadequate recognition of this fact in their strategy of educational development. For the distortion of educational priorities because of the linking of 'ideas' with 'aid' from outside in the case of India, see J. P. Naik, *Education in the Fourth Plan*, 1968, Bombay, Nachiketa Publications, pp. 26-27. On the impact of finance on some of the unsuspected aspects of education (like the curriculum) there are many interesting studies. See, for instance, Glen Robinson, "Legislation Influences Curriculum Development", *Educational Leadership*, October 1961, pp. 20-33.
- 2 Many consider financial factors 'decisive' even in over-all union-state relations. See, for instance, V. V. Borkar, "Union-State Financial Relations", paper presented to the Seminar on Union-State Relations in India (May 18 to May 31, 1969) organised by the Indian Institute of Advanced Study, Simla, typescript.

these arrangements a major and difficult task in all federations.³ It is even more so in a developing country like India where resources are scarce and the pressing demands on them many. The existence of heterogeneous states varying in their needs and resources only complicate matters.

The federal principle requires, as we have seen in an earlier chapter, that the federal and the regional governments of a country shall be independent of each other within their respective spheres. The most important pre-requisite for this principle to become operative in the present context is, obviously, financial in nature. K. C. Wheare has stated the problem in the following words :

Now, if this principle is to operate not only as a matter of strict law but also in practice, it follows that both the general and regional governments must have under its own independent control resources sufficient to perform its exclusive functions⁴.

There is in this approach a dualism between the general and regional governments in a federation. Such a dualism is endemic to the approach of authorities like Wheare to the entire gamut of federal relations. But, nowhere has the unreality of this persistent dualism been shown up so convincingly than in the domain of financial relations between the federal governments and the

3 The wide academic interest evinced in centre-state financial relations in this country is perhaps an index of both the importance and the controversial nature of this task. For some other factors responsible for this interest, see K. Venkataraman, *States' Finances in India*, 1968, London, George Allen and Unwin, p. 15. For a competent survey of studies in the area, see, N. Srinivasan, *Survey of Research in Social Sciences : Union-State Relations* (mimeographed), 1970, Indian Council of Social Science Research, pp. 14-21.

4 K. C. Wheare, *Federal Government*, 1953 (third edn.), London, Oxford University Press, p. 97. This approach to federal finance is the usually accepted one. Any number of writers can be cited. See, for instance, Sir Cecil H. K. Kisch's foreword to B. P. Adarkar, *Principles and Problems of Federal Finance*, 1933, London, P. S. King and Son Ltd., p. xii,

federating units.⁵ Even in the 'classical' federations, this mutual financial independence has not been achieved unless, sometimes, 'as a matter of strict law', to repeat Wheare's well-worn phrase. In the United States of America, which country, as we have seen elsewhere, is historically the federal prototype and is usually considered 'to acquit itself (well) on all tests of the standard definition of a federation',⁶ the federal government has exclusive jurisdiction only over customs.⁷ In other fields of taxation, it has concurrent powers with the states.⁸ The result has been that the United States has had to devise a built-in mechanism of tax credits, in order to avoid double taxation of the same source by the federal and the state governments⁹. In Canada a certain degree of fiscal dyarchy is in existence. The constitution confers wide powers of taxation on the dominion while the taxing power of the provinces is restricted to 'direct taxation in order to raise revenue for provincial purposes'. This dyarchy, however, had to be kept in abeyance during the war and was restored only in 1962.¹⁰ In Australia the situation is very similar to that in the United States. Under the constitution of that country, the commonwealth has exclusive power of taxation only with respect

- 5 This break-down of the theoretical dualism has led many nations which adopted federal constitutions in the past to discard, extensively amend, or ignore their constitutions. These include Argentina, Brazil, the U.S.S.R. and Venezuela. See Russell W. Maddox and Robert F. Fuquay, *State and Local Government*, 1962, Princeton, D. Van Nostrand and Company, p. 13 n.
- 6 J. N. Sharma, *The Union and the States : A Study in Fiscal Federalism*, 1974, New Delhi, Sterling Publishers (P) Ltd., p. 45. Word in brackets added.
- 7 Section 10 of the U. S. constitution.
- 8 J. N. Sharma, *op. cit.*, p. 46. The federal government had no formal right to levy income tax before 1913. The Sixteenth Amendment to the constitution formally terminated this exclusive jurisdiction of the states also.
- 9 James A. Maxwell, *Tax Credits and Inter-governmental Fiscal Relations*, 1962, Washington, Brookings, p. 102.
- 10 M. Srinivasan, "Fiscal Issues Which Affect Union-State Relations in India", paper presented to the Seminar on Union-State Relations in India (May 18 to May 31, 1969), organised by the Indian Institute of Advanced Study, Simla, typescript.

to customs and excise;¹¹ in other areas of taxation, the powers of the commonwealth and that of the states are concurrent.¹²

The trouble, however, is not only with the stipulation that the general and regional governments should be independent of each other in their respective fields. This is not entirely impossible of achievement in the area of control over sources of revenue; some federal constitutions, including the Indian constitution, as we shall later see, have indeed succeeded in farming out the available sources of revenue between the centre and the units. The difficulty really is with the caveat that these must each have under its own independent control '*resources sufficient to perform its exclusive function*'. This approach to federal finance is obviously a product of different times. The early federations came into existence when the concept of the state was still that of a 'police state', the functions of which were confined to the protection of life and property. Any extension of state activity beyond the severe limits set by this concept was considered both improper and illegitimate. Thus, in terms of modern political parlance, the state then was 'minimal' in nature. It was, therefore, not surprising that the financial arrangements in the early federations were, in the words of Mackintosh, fashioned 'somewhat on the stern model of a somewhat unreliable young man being given a not too generous allowance with the warning that if he is extravagant he must go to work to acquire extra funds'.¹³ Thus, in Canada, for instance, taxing powers of the provinces, as we have seen, were restricted to direct taxes. The assumption behind this, as well as the 'classical' theory of federal finance, was patently minimal state activity. The modern state, however, is 'welfare-

11 Section 86 of the Commonwealth of Australia Constitution Act.

12 It may be interesting to note here that, constitutionally, the imposts of the commonwealth have no priority lien over those of the states. This lien was acquired by the former through judicial interpretation of what was originally meant to be a temporary constitutional provision (namely, Section 96 of the constitution). For case law which gave commonwealth taxes this judicial backing, see J. N. Sharma, *op.cit.*, p. 63.

13 Cited by J. N. Sharma, *op. cit.*, p. 2.

oriented', if one may be permitted to use a rather colourless expression, and is, therefore, set on an irrevocable process of becoming increasingly 'maximal' in its functions.¹⁴ This is the essence of the 'Law of Increasing State Activity' propounded by Adolph Wagner the German social theorist.¹⁵ The proliferation of state activity and the consequent emergence of the maximal state has made the assumption behind the 'classical' approach to federal finance highly unrealistic.

It is, therefore, but natural that the 'classical' stipulation regarding a balance between fiscal capacity and governmental responsibility in a federation has remained a neat theoretical model in modern times.¹⁶ Imbalance between them is now almost universal, for, apart from everything else, the two are, as Lakdawala rightly points out, distributed on two independent criteria.¹⁷ It is thus that in federations the world over large transfer of resources from the centre to the units have become endemic. In the United States, such transfer was of the tune of 1,491 million dollars in the fiscal year of 1963 and 11,646 million dollars in 1966.¹⁸ In Australia it was of the order of 49,925,000 Australian dollars in 1967-68 and 21,900,000 dollars in 1969-70.¹⁹

14 This phenomenon has led many present-day political scientists to designate modern states as 'total states'—states whose citizens inter-act mainly within the context of these states. See, for instance, Rasheeduddin Khan, 'The Total State', *Seminar*, January, 1974 (Annual), *passim*.

15 For a discussion of Wagner's Law and its major premises, see Kaipa Narayan Reddy, *The Growth of Public Expenditure in India: A Secular and Time Pattern Analysis*, 1972, New Delhi, Sterling Publishers (P) Ltd., pp. 2-8.

16 The qualification 'in modern times' is necessary, for, as is implied in the argument in the preceding paragraph, this has not been always so. On this point, see A. H. Birch, *Federalism, Finance and Social Legislation in Canada, Australia and the United States*, 1957, London, Oxford, p. 25; and, D. T. Lakdawala, *Union-State Financial Relations*, 1967, Bombay, Lalvani Publishing House, p. 12.

17 D. T. Lakdawala, *op. cit.*, p. 2.

18 Cited by J. N. Sharma, *op. cit.*, p. 50, from publications of the U. S. Census Bureau.

19 *Ibid.*, p. 67. Cited from reports of the Commonwealth Grants Commission.

In Canada, such transfer constituted 23 percent of the total expenditure of the dominion government in 1968-69. The actual amount transferred was 2,482 million.²⁰ Such large scale inter-governmental transfer of funds has universally introduced an element of integration into federal-state finances. We shall have occasion later to refer to the factor that makes this tendency rather pronounced in certain countries.

The forgoing paragraphs were not meant to be an exhaustive discussion of the principles of federal finance. Other principles have also been urged equally strongly. Adarkar, for example, lays down three principles which in his opinion should inform centre-state fiscal relations. These are (i) Independence and responsibility; (ii) Adequacy and elasticity; and (iii) Administrative economy.²¹ The first two of these 'maxims' can be easily seen to be aspects of the principle of balance between fiscal capacity and functional responsibility. The third is not disputed and is accepted in almost all federations as a valid principle of federal finance. One could indeed find fault with Adarkar and argue that if the last of his principles—administrative economy—is broadly interpreted, say in the spirit of Burke's famous dictum, 'mere parsimony is not economy',²² it can be shown that in certain socio-economic contexts, the principle runs counter to his first two principles. Such polemic could be raised with regard to principles enunciated by other authorities also. But that would be exceeding our brief. The purpose here was only to provide a 'global' perspective on inter-state financial relations in India.

20 P. E. Trudeau, *Federal Provincial Grants and the Spending Power of Parliament*, 1969, Ottawa, Government of Canada, p. 16. It may be interesting to note here, in view of the discussions we shall have later on the Indian situation, that 15 percent of this total transfer was by way of conditional grants.

21 B. P. Adarkar, *op. cit.*, pp. 218-224.

22 Letter of Edmund Burke to the Duke of Bedford, 1796. Cited by Albert Lepawsky, *Administration: The Art and Science of Organisation and Management*, 1970 (second Indian reprint), Calcutta, Oxford and IBH Publishing Company, p. 480.

Constitutional provisions regarding centre-state financial relations and the underlying assumption

The financial provisions of the Indian constitution are generally based on the Government of India Act, 1935. Many articles relating to financial matters, as indeed several of them relating to other matters also, are reproduced verbatim from this Act. The departures that the constitution makes from its prototype, like the vesting of residuary powers in the union and the incorporation in the constitution of the statutory obligation of appointing a Finance Commission every five years, were those necessitated by the changed political situation.²³ The financial arrangements in the constitution thus constitute another instance of the 'antecedent agreements on fundamentals' we have talked about in an earlier chapter.²⁴

Before we enter into the financial provisions of the constitution, we may make a mention of what some consider to be a distinguishing feature of the Indian constitution. The older federations, as we briefly saw, left taxation as a concurrent subject. This was done in the hope that the problems of federal financial relations will be solved by leaving the centre and the units to tap tax resources according to their needs. Experience, however, belied this hope as it was found that simultaneous taxing of certain sources created more problems than it solved²⁵. The constitution-makers in India drew benefit from this lesson of history and avoided concurrent jurisdiction in the financial sphere. As

23 Kurien ascribes this large-scale borrowing from the 1935 Act to the inability of the founding fathers to anticipate the unprecedented expansion of developmental activities following independence. (See K. Mathew Kurien, "Centre-State Economic Relations", paper presented to the Simla Seminar mentioned at footnote 2, typescript). It may be recalled here that the financial provisions of the 1935 Act themselves were an outcome of the wide-spread discussions that took place during the Round Table Conferences on financial arrangements in the proposed federation and the labours of committees like the Percy Committee and the Peel Committee appointed during that period.

24 See chapter III, p. 47 *et. seq.*

25 K. Santhanam, *Union-State Relations in India*, 1960, New Delhi, The Indian Institute of Public Administration, p. 29.

Ashok Chanda puts it, 'the taxing powers of the union and the states have been completely separated and made mutually exclusive.'²⁶

The main financial provisions of the constitution are contained in Articles 268 to 281.²⁷ These deal with the division of revenues between the union and the states. The Union and State Lists in the Seventh Schedule together enumerate 31 different sources of revenue. Of these 12 are placed in the Union List²⁸ and 19 in the State List.²⁹

The taxes included in the Union List fall into five groups categorised according to the stipulations made in the constitution regarding their levy, collection and appropriation. These are (i) *Taxes that wholly accrue to the union government* : No portion of the proceeds out of these is assigned to the states. Under this category are included customs (including export duties), corporation taxes and taxes on the capital value of assets, exclusive of agricultural lands of individuals and companies; (ii) *Taxes levied and collected by the union but compulsorily shared between the union and the states*: Tax on income other than agricultural income belong to this category; (iii) *Taxes which are levied and collected by the union, but may be shared by the union and the states* : Duties of excise on tobacco and other goods manufactured in India, except alcoholic liquors and narcotic drugs come under this category; (iv) *Taxes levied and collected by the Government of India, but wholly assigned to the states*: Seven taxes come under this category. They are: estate and succession duties in respect of properties other than agricultural land, terminal tax, tax on railway forces and freights, tax other than stamp duties on transactions in stock exchanges and future markets, tax on sale or purchase of newspapers and on

26 Ashok K. Chanda, *Federalism in India*, 1965, London, George Allen and Unwin, p. 179. This statement does not do damage to what we said earlier regarding the tendency of central and state finances to get integrated. The issue here is that of division of taxing powers in the constitution. Even in this, we shall have occasion to enter a caveat later.

27 Chapter I, Part XII of the constitution.

28 Entries 82 to 92A.

29 Entries 45 to 63.

advertisements published therein and tax on sale or purchase of goods other than newspapers where such sale or purchase takes place in the course of inter-state trade or commerce; and (v) *Taxes levied by the union but collected and appropriated by the states*: To this category belong stamp duties and duties of excise on medicinal and toilet preparations.

This rather prosaic listing of tax categories and the taxes that belong to them have been attempted in order to show that although there are 12 groups of taxes enumerated in the Union List, only one of them can be said to be exclusively 'central' in the sense that proceeds from it are wholly appropriated by the centre. The benefits from the other four groups accrue wholly or partly to the states. This shows that the division of the revenue resources of the federation between the union and the states in India to which a reference had been made earlier is not as complete or absolute as it might appear to be at first sight. This is what made the Taxation Enquiry Commission (1953-54) assert that 'the central and state revenues really coalesce for purposes of the public finance of state governments'³⁰. The basic concept on which union-state financial relations have been fashioned in the constitution is, therefore, that of India as a single, inter-dependent economic unit; the financial autonomy of the states, has thus been made subject to the over-riding considerations of national economic needs.³¹

The resource gap of the states

Appleby, talking about finance in his report in the early fifties, had made the assertion that in India 'the states have revenue resources proportionately larger than states in any other federal system'.³² A comparative study of federations may prove Appleby

30 *Report of the Taxation Enquiry Commission* (1953-54), Vol. I, p. 210.

31 K. R. Bombwall, *The Foundations of Indian Federation*, 1967, Bombay, Asia Publishing House, p. 291. This obviously was also an outcome of the rejection of the idea of a minimal federation by the constitution-makers, to which we had occasion to make a reference in an earlier chapter. See chapter III, p. 59, *et. seq.*

32 Paul H. Appleby, *Public Administration in India, Report of A Survey*, 1953, p. 22.

substantially true.³³ This, however, does not affect the fact that the federal financial scheme enshrined in the Indian constitution and briefly outlined above leaves a large gap between the fiscal needs of the states and their revenue resources. This can be easily seen from the table on the next page³⁴

The table shows that, while the revenues of the states from their own sources increased by 589 percent, their requirements went up by 754 per cent, during the period starting with the first Five-Year Plan and ending with the last of the three one-year plans. If the slight vacillations in the cumulative figures for the plan periods are ignored, the revenue gap increased progressively during the period and ended up with 44 percent in 1968-69, which really represents an ebb in the trend, for, the gap had reached a near fifty percent mark in 1955-56.

That the balance of financial power was tilted in favour of the union was clear to the members of the constituent assembly themselves, barring perhaps a few. Concern in this regard was repeatedly voiced during the discussion on the financial provisions by prominent members like Sir Ramaswami Mudaliar, K. Santhanam, Hriday Nath Kunzru and Biswanath Das. Santhanam, who is not known for his intemperate language, went to the extent of saying that the states 'would be beggars at the door of the centre'³⁵ while Biswanath Das, in equally strong language expressed the fear that they might be treated 'as charity boys of the North Block of the Secretariat'.³⁶ It is now commonly accepted that

33 Wheare describes the situation in Australia in the following terms: "The control of the government of the Commonwealth of Australia over the governments of the states has become so great that some observers say that in practice the states of Australia are little more than the administrative agencies of the Commonwealth. The control has come chiefly from the greater financial resources of the Commonwealth and...the increased reliance of the states upon grants from the Commonwealth..."(K. C. Wheare, *op. cit.*, p. 23). The experience of other countries may not, however, be much relevant. On this point, see D. T. Lakdawala, *op. cit.*, p. 22.

34 Source : J. N. Sharma, *op. cit.*, p. 125 (with minor modifications in legends).

35 *Constituent Assembly Debates*, V, 4, p. 84.

36 *Ibid.*, IX, 6, p. 207.

TABLE 4.1
States' revenues (own) and their requirements
 (in crores of rupees)

PARTICULARS	1951-52	1955-56	1960-61	1965-66	1968-69	INCREASE OVER 51-52 (in percentage)
<i>1. States' Own Revenues</i>						
a. Tax	193.17	234.73	430.93	842.00	1205.00	—
b. Non-tax	85.59	123.63	223.64	402.96	484.15	—
c. Capital Receipts	71.89	72.07	234.67	492.94	724.46	—
TOTAL	350.65	430.43	889.04	1737.00	2418.61	589
<i>2. States Requirements</i>						
a. Revenue	340.69	553.91	990.36	1892.24	2647.46	—
b. Capital	165.14	312.36	623.44	1324.18	1667.35	—
TOTAL	504.83	846.27	1613.80	3216.42	4314.81	754
3. Lag (2—1)	154.18	415.84	824.76	1478.58	1896.20	1131
<i>4. Percentage Lag (3 as percentage of 2)</i>						
	30	49	45	46	44	

these forebodings have unfortunately come almost true. This is shown by the large scale transfer of resources from the centre to the states. The following table³⁷ gives an idea of the quantum of such transfer during the period of the four Five-Year Plans and the three one-year plans.

TABLE 4.2

Transfer of resources from the union to the states

PERIOD	RESOURCES TRANSFERRED
	Crores of rupees
1951—56	1431
1956—61	2868
1961—66	5600
1966—69	7114
1969—74	14853
TOTAL 1951—74	31866

During the first plan period of 1951-56, the transfer of resources from the union to the states was of the order of 1431 crores. By 1969-74, this went up to the phenomenal figure of 31866 crores. The sixth Finance Commission, the latest in the series which gives these figures, points out that the figures admit of two interpretations. Firstly, they indicate the dependence of states on the centre. If they are 'generously' interpreted, says the commission, they also show that 'despite the centralisation of resources inherent in a growing economy, the centre has responded to the expanding needs of the states and thereby ensured the use of national resources in a decentralised fashion.'³⁸ The second interpretation, however, is only a euphemism for the first. What both interpretations do bring out is the indigence of the states.

This indigence is usually attributed to the fact that in the allocation of sources of revenue in the constitution 'the centre has

37 Source : *Report of the Finance Commission*, 1973, p. 16.

38 *Ibid.*

got all the important and elastic sources³⁹. There is indeed some truth in the argument about the important sources of revenue being assigned to the centre.⁴⁰ The imbalance between the states and the centre in this regard has also been further aggravated by central legislation. An obvious example is the amendment, in the early sixties, of the Income-Tax Act. This amendment excluded taxes paid by companies from the definition of income tax, thus causing, in the words of the third Finance Commission, 'an appreciable shrinkage in the divisible pool to which the states were constitutionally entitled.'⁴¹ But, the contention about the inelasticity of state resources is only partially true. As the recent Finance Commission has had occasion to point out, while the tax revenue of the centre registered a eleven-fold increase from 404.51 crores in 1950-51 to 4537.78 crores in 1972-73, that of the states grew not less than nine times from 221.55 crores to 1891.91 crores.⁴² Thus, the oft-cited inelasticity of state revenues is rather negligible in magnitude and cannot explain the large fiscal gap in finance that table 4.1 brings out. Wagner whose 'Law of Increasing State Activity' we mentioned earlier, provides an explanation when he says that the income elasticities of demand for services provided by government are greater than unity⁴³. In other words, growth generates a disproportionate demand for social services like education and health which calls for rapidly increasing rate of governmental expenditure on such services.⁴⁴ That this is indeed what has

39 K.V. Rao, *Parliamentary Democracy in India*, 1965, Calcutta, The World Press Private Ltd., p. 324.

40 The major argument advanced in justification of this is 'administrative economy,' for which see p. 87, *ante*.

41 *Report of the Finance Commission*, 1961, p. 36.

42 *Report of the Finance Commission*, 1973, pp. 6-7. This slight difference in the rate of growth of state and central revenues may also be due to, what an earlier Finance Commission called, 'an allergy (on the part of the states) to tap resources in the rural sector for many considerations'. (Parenthesis added). See *Report of the Finance Commission*, 1961, p. 38.

43 See Kaipa Narayan Reddy, *op. cit.*, p. 3.

44 This tendency is even greater in the countries of Asia and Africa that Roger Scott cautiously calls the 'new states', for all of them, as Scott points out, are committed (though in widely varying degrees) to policies aimed at rapid social and economic change, leading to proliferation of state activity. See Roger Scott, *The Politics of New States*, 1970, London, George Allen and Unwin Ltd., p. 19.

happened in India is borne out by the following table⁴⁵ showing the growth of social and developmental expenditure in India, including expenditure on education.

TABLE 4.3
Growth of social and development expenditure
in India 1941—1968.

At constant 1948-49 prices			
Period	Total in lakhs of rupees	Per head in rupees and paise	As percentage of total government expenditure
1941—50	22239	6.99	22.94
1951	33396	9.32	42.58
1956	76562	19.56	54.59
1961	134667	31.05	60.12
1966	175098	36.06	50.06
1968	164854	30.58	49.12

As can be seen from the table, the trend of rapid rise in social and developmental expenditure set up with the inception of planning slows down only towards the end of the Third Plan when planning in the country had already run into rough weather. It registers a slight decline during what is, sometimes opprobriously, called the 'plan holiday', which only helps to establish the fact that planned development accentuates the modern tendency towards increased state activity. This has to be seen in the perspective of the fact that most of the major items of expenditure included, under 'social and development expenditure' are, under

45 Source : Kaipa Narayan Reddy, *op. cit.* Constructed from tables given at pp. 213-214 (Appendix A. 12).

the constitution, the responsibility of the states.⁴⁶ These include 'social services' like education and health, which, as one writer has put it are 'devouring consumers of huge funds'. The inescapable corollary is that as development proceeds the fiscal gap of the states is only likely to widen.⁴⁷ And, as Birch rightly points out, this very process of development which adds to the liabilities of the states entails increased revenues to the centre, since the growth of production in organised industry accompanying development automatically broadens its resource base.⁴⁸

Fiscal transfer from the centre to the states

The superior resource position⁴⁹ of the centre makes fiscal transfer from the centre to the states inevitable. The constitution provides for three categories of such transfers: shared taxes, grants and loans. There are two bodies which determine the entitlements with regard to these, namely the Finance Commission and the Planning Commission. Article 280 which provides for the Finance Commission stipulates that within two years of the beginning of the constitution and every five years thereafter, there should be a Finance Commission consisting of five members. The Planning

- 46 The items sub-summed by the generic head 'social and development expenditure' are listed by Reddy according to whether they are central or state responsibility. See Kaipa Narayan Reddy, *op. cit.*, pp. 114-115n. The over-all expenditure on education, which is one of the major items under the head has increased at an annual rate of 13 percent. See *Proceedings of the Thirty-fifth Meeting of the Central Advisory Board of Education*, 1971, New Delhi, p. 27.
- 47 For a detailed analysis of state financial dependence on the centre, see J. N. Sharma, *op. cit.*, chapter 6, pp. 124-141. A statistical annexure to the chapter gives state-wise revenue requirements and revenue transfers. Incidentally, these show that Rajasthan tops the list of the states most dependent on the centre followed by Assam and Orissa. Punjab, Maharashtra and Haryana are among the least dependent.
- 48 See Ursula K. Hicks (Ed.), *Federalism and Economic Growth in Underdeveloped Countries*, 1961, London, George Allen and Unwin, p. 116.
- 49 In the preceding discussion, we have not referred to the commanding position of the centre with respect to two important resource bases, namely, borrowings and the banks. For this, see J. Shiva Kumar, "Union-State Financial Relations," *The Indian Journal of Public Administration*, Vol. XVI, No. 2, April-June, 1970, pp. 205-206.

Commission, unlike the other commission, has no statutory backing and was set-up as a standing body by an executive order in March, 1950.⁵⁰

The Finance Commission, as we have earlier pointed out,⁵¹ is one of the few departures that the constitution makes from the Government of India Act, 1935. Bombwall is not far wrong when he says that the commission is 'an innovation of far-reaching importance to the working of the Indian federal system'⁵² though, as we shall presently see, this importance has tended to be progressively eroded. No other federal constitution provides for a similar independent agency on the recommendations of which substantial resources are transferred from the union to the federating units without much adverse effect on state autonomy.⁵³

The function of the Finance Commission is defined in the constitution. It is, mainly, to make recommendations to the President as to : '(a) the distribution between the Union and the States of the proceeds of taxes which are to be, or may be, devided between them...and the allocation between the States of the respective shares of such proceeds;' and '(b) the principles which should govern the grants-in-aid of the revenues of the States out of the Consolidated Fund of India'⁵⁴ Thus, of the three kinds of transfers we have mentioned, shared taxes and the grants

50 For the origin, functions and organisation of the Planning Commission, see Indian Institute of Public Administration, *The Organisation of the Government of India*, 1971, Bombay, Somaiya Publications, pp. 446-456.

51 See p. 88, *ante*.

52 K.R. Bombwall, "The Finance Commission and Union-State Relations in India", *The Indian Journal of Public Administration*, Vol. X. No. 2, p. 278.

53 Australia is sometimes considered an exception. But, the Commonwealth Grants Commission of that country is widely different from its putative 'counterpart' in India, not only in its origin but also in its functions and powers which, in comparison, are limited. On this point, see Raman Bombwall, *Federal Financial Relations in India*, 1970, Meerut, Meenakshi Prakashan, pp. 67-68.

54 Article 280(3). In addition, sub-clause (c) lays down an optional function. The sub-clause reads : "Any other matter referred to the Commission by the President in the interest of sound finance".

stipulated in Article 275 of the constitution (which is not meant for the subvention of plan projects) are the exclusive domain of the Finance Commission. Discretionary grants given for plan purposes under Article 282 and loans are the concern of the Planning Commission.

Financial devolution through the Planning Commission

From the point of view of centre-state relations, financial devolutions made through the Finance Commission are not as important as those effected through the Planning Commission, under Article 282. Not that resource transfers through the former raise no problems. There have been complaints about anomalies in the scheme of 'budgetary-need' grants⁵⁵ and also about their inadequacy.⁵⁶ But, these transfers, though indicative of the over-all financial dependence of the states on the centre are basically in the nature of division of common assets, of 'conduits' of finance, if one may borrow an expression used by one student of the problem. They are constitutionally provided for, effected through a quasi-judicial statutory body and absolutely unconditional. As Hanson puts it, they are given 'as of right and not as of grace'.⁵⁷ In their operation, therefore, there is not much scope for what is sometimes, not very happily though, called the 'giver-taker nexus'.

- 55 For a brief, but interesting study of them, see M.P. Jain, "Anomalies in the Scheme of Fiscal-Need Grants in India" in S. N. Jain, *et al.* (Ed.), *The Union and the States*, 1972, Delhi, National, pp. 265-280. It may be noted in passing that the author uses the term 'fiscal-need grants' as synonymous with 'budgetary-need grants'. The former is generally accepted to be a concept which 'interprets the gap in resources in an over-all context of total expenditure of the state'. (*Report of the Working Group on State Finances and Centre-State Financial Relations*, appointed by the Study Team on Financial Administration set up by the ARC, 1967, Bombay, p. 362)
- 56 For example, as early as 1952, Dr. B.C. Roy, the then Chief Minister of West Bengal criticised the recommendations of the First Finance Commission for inadequately compensating the state for its loss of jute export duty. See Subrata Sarkar, *The Centre and the States*, 1972, Delhi, Academic Publishers, p. 129.
- 57 A. H. Hanson, *The Process of Planning : A Study of India's Five-Year Plans 1950-1964*, 1966, London, Oxford University Press, p. 343.

But, the transfer of resources from the centre to the states has proceeded on lines not anticipated in the constitution. The financial arrangements envisaged in Chapter 1 of Part XII of the constitution, as Santhanam points out, is based on two major assumptions.⁵⁸ The first is that the main assistance required from the centre to the states would be in the nature of shares in taxes and grants towards the recurring revenue expenditure of the latter. The second assumption, which is really implied in the first, is that the Finance Commission would be the chief instrument of determining the tax shares and the subventions, and that the discretionary provision embodied in Article 282 would be used for emergencies arising out of national calamities like famine and flood. "Both these assumptions," says Santhanam, "have now broken down on account of the adoption of the policy of planned development under the guidance of a central Planning Commission"⁵⁹ Grants-in-aid given under Article 282, which is actually not a substantive provision intended for transfer of resources from the centre to the states,⁶⁰ now overshadow those given under its substantive brother, Article 275, as can be seen from the table on the next page.

During the first three five-year plans and the three annual plans, nearly three times as much grants were given to the states, as the table shows, under Article 282 as under Article 275(1). This, however, does not provide a complete picture of discretionary transfer of resources from the centre to the states as the table does not take

58 K. Santhanam, *Transition in India*, 1964, Bombay, Asia Publishing House, p. 116.

59 *Ibid.*

60 Article 282 reads : "The Union or the State may make any grants for any public purpose, notwithstanding that the purpose is not one with respect to which Parliament or the Legislature of the State, as the case may be, may make laws". The Article stands under "Miscellaneous Financial Provisions" and the marginal note to it reads : "Expenditure Defrayable by the Union or the State out of its Revenues". For further comments on the nature and scope of the Article, see K. Santhanam, *Union-State Relations in India*, 1960, New Delhi, Asia Publishing House, p. 40-41; and *Report of the Finance Commission*, 1961, p. 40.

TABLE 4.4
Central grants to the states under Articles 275(1)
and 282 (rupees in crores)

Type of Grant	I Plan	II Plan	III Plan	3 Annual Plans	Total
1. S.G	41.0	166.0	290.0	422.0	919.0
2. D.G	174.0	534.0	1013.0	977.0	2698.0
3. T.G	215.0	700.0	1303.0	1399.0	3617.0
(1+2)					

Note :—S.G: Statutory grants under Article 275(1); D.G : Discretionary grants under Article 282; T. G : Total grants. Figures have been rounded off. *Source* : RBI Bulletin (Computed)

into account central loans to the states.⁶¹ A large amount of central control over state finances, as Venkataraman points out, is exerted through loans.⁶² The importance of central loans to the capital structure of the states is phenomenal; almost two-thirds of their capital receipts accrue from this source.⁶³ In absolute

61 It also does not take into account the indirect transfers of resources like grant-in-aid under Article 282 to voluntary organisations working in various fields of activity in the states. Several ministries at the centre operate schemes of assistance to such organisations. The Ministry of Education alone operated, in 1969-70, some 15 such schemes. (See *Report of the Committee on Grants-in-Aid to Voluntary Organisations*, mimeographed, 1970, New Delhi, Ministry of Education and Youth Services, Annexure III, pp. 36-38). 'Attached offices' and autonomous bodies of these ministries operated their own schemes of assistance to voluntary organisations. The NCERT, an autonomous body of the Ministry of Education, for example, spent, in 1969-70, Rs. 2,180 on such schemes. But, these transfers, though interesting from the point of view of central influence on developmental activities in the states are not directly relevant to the present purpose.

62 K. Venkataraman, *op. cit.*, p. 105.

63 *Ibid.*, p. 160. The Rajamannar Committee has pointed out that the assistance given to the states by the centre in the form of loans is much greater than the assistance given by way of grants, both statutory and discretionary put together. See Government of Tamil Nadu, *Report of the Centre-State Relations Enquiry Committee*, 1971, p. 101.

terms, central loans to the states were of the tune of 720 crores during the first plan, 1374 crores during the second, 3101 crores during the third and 2693 crores during the interregnum of the three annual plans. These loans, advanced mainly to meet the capital side of plan expenditure, are closely linked with plan grants under Article 282. The total discretionary transfers, therefore, would be of the order shown in the following table.⁶⁴

TABLE 4.5
Discretionary transfers (plan-wise) from centre to the
states (rupees in crores)

<i>Type of Transfer</i>	<i>I Plan</i>	<i>II Plan</i>	<i>III Plan</i>	<i>3 Annual Plans</i>	<i>Total</i>
1. D.G	174.0	534.0	1013.0	977.0	2698.0
2. Loan	720.0	1374.0	3101.0	2693.0	7888.0
3. Total	894.0	1908.0	4114.0	3670.0	10586.0

Note : D.G = Discretionary grants under Article 275(1).

Planning, as the Working Group on State Finance and Centre-State Financial Relations rightly points out, has thus changed the entire economic, political and fiscal context of the country. What the group has to say in this connection bears reproduction :

The criterion of budgetary needs implicit in the Finance Commissions' recommendations was eroded by the impact of plan expenditure...The formulation and implementation of plans at the state level formed a charge on the central fisc, in fact, if not in theory. The tax sources of the states being inelastic generally, the sinews of finance for putting through the plan had to be raised through central assistance.⁶⁵

⁶⁴ Source : RBI Bulletins (Computed).

⁶⁵ Report of the Working Group on State Finance and Centre-State Financial Relations, *loc. cit.*

The full truth of the above statement can be realised only when we have a look at the relevant facts. The table⁶⁶ on the following page sets out state plan expenditure during the four five-year and the three one-year plan and assistance to them from the centre.

As the table shows, plan assistance from the centre to the states has varied from over 50 percent to nearly 62 percent of the total plan outlay of the states.

Our purpose in the foregoing discussion has been to provide a *global* picture of centre-state financial relations in India so that the specific problem of those relations in education can be seen in perspective. It is, therefore, not proposed to go here into the impact, in general, on the states of 'the formulation and implementation of plans at the state level forming a charge on the central fisc.' We shall however presently look at such impact in the sector of education, which is our immediate concern. But before doing so, one is apt to recall the prophecy Alfred Deakin, one of the founding fathers of the Commonwealth of Australia and later her Prime Minister, made about that country, in a similar context. Deakin said :

As the power of the purse in Great Britain established by degrees the authority of the Commons, it will ultimately establish in Australia the authority of the Commonwealth. The rights of self-government of the states have been fondly supposed to be safe-guarded by the constitution. It left them legally free, but financially bound to the wheels of the central government. Their need will be its opportunity. The less populous will first succumb; those smitten by draught or similar misfortune will follow; and finally even the greatest and most prosperous will, however reluctantly, be brought to heel.⁶⁷

66 Source : Government of India, *Draft Five Year Plan*, p. 75; and *Fourth Five Year Plan*, p. 67.

67 Cited by L. F. Crisp, *Australian Government*, 1965, Victoria, Longmans, p. 83.

TABLE 4.6
State plan expenditure/outlay and central assistance (in crores of rupees)

<i>Expenditure/ Assistance</i>	<i>First Plan</i>	<i>Second Plan</i>	<i>Third Plan</i>	<i>3 Annual Plans</i>	<i>Fourth Plan</i>	<i>Total</i>
1. Exp./Outlay	1,426	2,084	4,164.75	3,051.75	6,606.47	17,332.97
2. C. Assistance	880	1,058	2,515.3	1,798.9	3,500.0	9,752.2
3. 2 as % of 1	61.8	50.8	60.0	59.0	53.0	56.3

Note : Exp.=Expenditure ; C. Assistance=Central Assistance

Note :—Percentages for the third plan, for 1966-69 and for the fourth plan are in round figures. Plan outlay figures are actuals for the first three plans, for 1966-77 (Rs. 991.4 crores) and for 1967-68 (Rs. 1001.5 crores). They are anticipated expenditure for 1968-69 (Rs. 10,58.9 crores). The actuals for the latter year may turn out to be lower. Figures of central assistance for 1966-69 are allocations.

There are observers, some of them acknowledged authorities in the field, who would not hesitate saying, if their opinion was sought in the matter, that Deakin could not be more right about Australia than about India. So far-reaching has been the impact of central financing of state plans.

Centre-state financial relations in education

Importance of Central Assistance to Education : It may not be entirely inappropriate to preface our discussion on the role of the centre in the financing of education and centre-state relations in this respect with a reference to the importance of central assistance to educational development in India.⁶⁸ This importance arises mainly from the fact that the states are finding it more and more difficult to finance incremental development in education because of the development that has already taken place. This, as we know, is a problem peculiar to investment in human capital, returns out of which can not be ploughed back for further investment so that development becomes self-sustaining. The result is that some states already spend nearly forty percent of their annual budget on education,⁶⁹ a proportion of state expenditure on education far in excess of the one suggested by the Kher Committee on Ways and Means of Financing Education. The states taken together invest in education twenty paise out of every rupee they collect from the tax-payer, as the table⁷⁰ on the following page will show. It will also show that there is no other item in their 'shopping list' which carries away such a large chunk of the tax payer's rupee.

68 On this, also see J. P. Naik, *Educational Planning in India*, 1965, Bombay, Allied Publishers, p. 155.

69 For example, Kerala. See table X (Budget Expenditure on Education and Total Budget Expenditure by States for the Period 1961-69), *Selected Educational and Related Statistics at a Glance (Plan and Non-Plan)*, 1969, Education Division, Planning Commission, (Memorographed), p. 20.

70 *Source :* K. Venkataraman, *op. cit.*, p. 155. The Kothari Commission has posed the problem through a comparison of the rates of growth of : (i) national income (indicating ability to finance education) and (ii) the proportion of national income allocated to education (indicating the effort made in financing education). The latter, predictably indeed, exceeded the former. See *Report of the Education Commission (1964-66) : Education and National Development* (first edn.), 1966, New Delhi, Ministry of Education, Government of India, p. 466.

TABLE 4.7

The tax-payer's rupee : allocation by state governments
(in paise)

<i>Development</i>	<i>1951-52</i>	<i>1965-66</i>
Education	14.7	20.0
Medical and Public Health	7.1	8.2
Agriculture, Veterinary and Cooperation	0.3	4.9
Rural Development and Community Development Projects	4.1	3.1
Irrigation	4.1	3.1
Electricity Schemes	1.1	0.2
Civil Works	10.0	6.8
Industries and Supplies	2.6	1.7
Others	3.5	5.8
 <i>Non-Development</i>		
Direct Demands	8.7	4.3
Debt Services	2.2	14.0
Civil Administration	26.1	13.5
Famine	0.9	0.8
Miscellaneous	9.7	5.6
Others	2.6	3.1
TOTAL	100.0	100.0

Indeed the problem is so serious that the State Education Ministers in their conference held at New Delhi in early 1967 went to the extent of adopting a resolution calling attention to it and asking the centre to refashion centre-state relations in the financing of education. The resolution posed the problem in the following words :

Educational development creates permanent recurring liabilities to the state governments and they are finding it increasingly difficult to meet them...Education is the most significant and costliest of social services to the nation and the centre must accept responsibility to share its growing cost. This conference, therefore, recommends that the existing centre-state relationship in the financing of education should be reviewed in its entirety and a new relationship which can meet, on a long-term basis, the challenges of the massive programme of educational reconstruction needed by the country should be devised.⁷¹

Given the constrictive pressures on state revenues,⁷² the inexo-

71 *Proceedings of the Tenth Conference of State Education Ministers*, 1968, New Delhi, Ministry of Education, Government of India, p. 54. One cannot resist the temptation here to make a passing comment on the recommendation of the Education Commission (1964-66) in this regard. This highly knowledgeable body did reach the modish conclusion that 'the central government should assume a larger financial responsibility for education'. It is, however, a measure of the unreality of the deliberations of the 'knowledgeable' in the field of education that the commission could visualise the discharge of this responsibility only through the expansion of the central and the centrally sponsored sectors of education. It did not occur to the commission that no amount of expansion of these sectors can conceivably solve the problem raised by the state ministers of education in their resolution. It may be interesting to note here that in the same meeting in which this resolution was passed the ministers asked for central assistance for the improvement of the remuneration of teachers. (See *Ibid.*, p. 48) The assistance was to be in the ratio of 90 : 10, outside the plan and without time limit.

72 For some of these constrictive pressures, see *Report of the Finance Commission*, 1961, *op. cit.*, pp. 38-39. How barren of results are attempts to get states to raise additional resources for financing education is shown by the recommendations that the Study Group on Resource Mobilization appointed by the Government of India in 1969 came up with. See *Report of the Study Group on Resources Mobilization* (1969), 1970, New Delhi, Asian Institute of Educational Planning and Administration, mimeographed, pp. 47-54.

able process of accretion to the committed expenditure on education and, if one may add, the gradual tapering off of the contribution to educational expenditure from non-governmental sources which is nearly 30 per cent at present, central assistance to states for educational development assumes an importance which is only likely to increase as time passes.

More authoritative quarters also have made similar futuristic assertions about central assistance to states in general.⁷³ These may or may not prove right; but, there is no gainsaying the fact that central assistance as it stands to-day is vital to many areas of developmental activity, constitutionally within the strict legislative jurisdiction of the states. These, as we have already seen, include education.

Central Assistance to Committed and Plan Expenditure in Education: Central assistance to the states for education, as must be evident from the preceding discussion, falls into two broad categories. First, there are the statutory grants under the award of the Finance Commission. Second, there is the plan assistance given, in the form of loans and grants under the relevant articles of the constitution.⁷⁴ Of these, the first category of assistance is given for meeting, what is called in financial parlance, the 'committed expenditure'⁷⁵ of the states and is calculated on the basis of

73 See, for example, A. H. Hanson, *op. cit.*, chapter IX, pp. 311-347.

74 We have already referred to Article 282 (See p. 99 *ante*). Article 293 (2) relating to loans reads: "The government of India may, subject to such conditions as may be laid down by or under any law made by parliament make loans to any state...and sums required for the purpose of making such loans shall be charged on the Consolidated Fund of India"

75 'Committed expenditure' is expenditure on staff and maintenance of schemes undertaken in previous plans. This, by convention is not reckoned as plan expenditure. (See Venkataraman, *op. cit.*, p. 68). It is this convention that has led to the problem highlighted in the resolution adopted by the state education ministers in their 1967 conference and cited earlier (See p. 106, *ante*). The Administrative Reforms Commission characterises the distinction between plan and committed (non-plan) expenditure as 'false' and 'invidious'. (See Administrative Reforms Commission, *Report of the Study Team on Financial Administration*, *op. cit.*, p. 364). Many consider committed expenditure as the main factor in the 'loss of fiscal manoeuvrability' of the states (See J. D. Sethi, "Union-State Economic Relations" in S. N. Jain *et al.* (Ed.), *op. cit.*, p. 287).

the entirety of this expenditure. Statutory grants are, therefore, by convention, not given for specific purposes, even though two Finance Commissions—the first and the third—did make specific purpose awards making exceptions to this convention.⁷⁶ The grants are ‘automatic’ to borrow a description from the Administrative Reforms Commission and for reasons we have had occasion to mention earlier,⁷⁷ do not ‘queer’ centre-state financial relations as do assistance belonging to the second category.

The second category of assistance, which for obvious reasons is going to be the main theme of the discussion to follow, is plan assistance.⁷⁸ It is estimated on schematic basis and is given partly on loan and partly on grant basis. Some schemes would be such as would involve elements of revenue as well as capital expenditure. The general principle of classification of capital expenditure in India is that it is the kind of expenditure needed for creating concrete assets of a material character or of reducing recurring liabilities like, say, pension payments. The state governments can, however, exercise a certain degree of discretion in the classification of capital expenditure. They usually decide that a certain part of capital expenditure, particularly works of less than a certain value, will be met from revenue, treating only the rest as capital expenditure. Loan assistance is generally ear-

76 The first Finance Commission thought it desirable to provide grants for a broad purpose, selected with reference both to the importance of the service assisted and to the practicability of measuring, from time to time, the standard of the service on the basis of reliable indices. What is of our interest, however, is the fact that the commission selected primary education for the grant, a recognition of the national importance of education at this level. The third commission revived the idea of specific purpose grants, but the award went to development of roads.

77 See p. 98, *ante*.

78 Constitutionally speaking there is nothing that can stop the Finance Commission from recommending grants for plan purposes. The third commission actually did so. It interpreted fiscal need broadly so as to include 75% of the revenue component of the state five-year plans and suggested that grants be made to the states on that basis. (See *Report of the Finance Commission*, 1961, pp. 28-33) Awards by the Finance Commission being unconditional, this would have completely changed the complexion of planning in the country. Predicably enough, the Government of India did not accept the suggestion.

marked for the capital component of the assistance-bearing plan schemes. Loan is also given to the states under another circumstance. If the plan assistance admissible to a state, calculated on the basis of assistance to individual schemes, is less than the total assistance proposed to be allocated to the state, the shortfall is made good in the form of a *Miscellaneous Development Loan*. Compared to other heads of development, the loan component of plan assistance to education is usually not very large, unless, in the rare case of a state, the assistance earned on schemes falls very short of the plan assistance proposed for it.⁷⁹

Broadly speaking there are two main types of schemes in education for which central aid is available, namely, the centrally sponsored schemes and the centrally assisted schemes. The state five-year plan in education consists of the state's share of the outlay on centrally sponsored schemes plus the outlay on centrally assisted and other state schemes of education.

Empirically, the only possible definition of centrally sponsored schemes (sometimes also called 'additional state schemes'⁸⁰) is that they are those which are proposed by the central government and central assistance for which is available over and above the assistance assured for the state plan as a whole. The genesis of the schemes, as the Administrative Reforms Commission points out, has to be traced to the reluctance of the states, mostly because of paucity of funds after meeting the pressing state needs in education, to undertake certain schemes which, though important, have more of a national significance.⁸¹ Some obvious examples would be: provision of facility for the teaching of Sanskrit in secondary schools, propagation of Hindi in non-Hindi speaking

79 The loan-grant distinction, in any case, is not very germane to our purposes and can be safely ignored in the subsequent discussion.

80 They are so called because of their history. From the beginning of the first five-year plan the states operated a number of developmental schemes outside their plans known by this name. At the end of that plan, when a large number of the schemes were transferred to the state sector, the remaining schemes were re-designated as centrally sponsored schemes. Later more schemes were added to the category.

81 Administrative Reforms Commission, *Report of the Study Team on Financial Administration*, *op. cit.*, p. 370. See also K. Venkataraman, *op. cit.*, p. 79, and D. T. Lakdawala, *op. cit.*, p. 102.

states, promotion of student tours and national physical efficiency drive.

The practice of formulating a set of schemes at the centre and handing them down to the states provoked a great deal of criticism from the states. The result has been, as we shall see later, a gradual atrophy in the size of the centrally sponsored sector. The criteria that the centrally sponsored schemes should satisfy before they are given that status also have been laid down now.

A centrally sponsored scheme in education is implemented by the ministry of education of the state government. It is, however, a part of the plan of the central Ministry of Education and it is this ministry that accords sanction to the scheme. When the ministry issues sanction, it invariably lays down conditions regarding details of administration. As to the release of central aid, the procedure adopted is the same as relating to the centrally assisted schemes.

The centrally assisted schemes are those under the major developmental head of 'Education' which the centre has agreed wholly or partially to assist in financing. The schemes are generally those which, because of the differential needs and conditions of the states, are left to the initiative of the states themselves. Central assistance is granted to the schemes in accordance with a pattern of assistance. The pattern has been in a process of gradual evolution ever since the second five-year plan. It generally prescribes central assistance in the form of loan and/or grant in terms of percentage of expenditure varying from 25 to 100 per cent, depending upon the importance of the scheme. Sometimes a separate pattern may be prescribed for recurring and non-recurring expenditure.

Sanction and Utilization Procedures of Central Assistance : The sanction and utilization procedures of central assistance need some attention, for, these have raised not only questions of administrative convenience but many serious problems of centre-state relations to which we shall later have occasion to refer. Assistance was first determined and given scheme-wise and there was hardly any scope for adjustment of outlays and sanction

procedures. Each specific scheme qualifying for central assistance had to be sanctioned by the Ministry of Education at the centre before implementation. This attracted criticism not only from the states but also from agencies of the central government itself. The Auditor-General of India in his report submitted in 1955 drew the attention of the union government to the excessive centralisation involved in the practice and the way it hampered the progress of plan implementation.⁸² As a result, a process of re-thinking on the issue was started, and the Ministry of Finance and the Planning Commission came up with some suggestions which the Conference of the State Finance Ministers held on the 18th of November, 1957 considered. A revised procedure was subsequently introduced in 1958.⁸³ Under the new procedure, the practice of giving sanction to individual schemes was discontinued. Groups of schemes, say, 'Secondary Education', under the head of development, 'Education', now became units for adjustments and for determination of central assistance. Three years later, in 1961, a further relaxation in procedure was effected.⁸⁴ With this latter change, the position now was that the state plan was broken down into a number of major 'heads of development,' 'Education' being one of them. Each head of development, including 'Education' consisted of two groups of schemes: one, comprising schemes to which patterns of assistance were attached; and the other, comprising the remaining schemes. The quantum of assistance to a head of development, in the present case 'Education', was arrived at on the basis of pattern-bearing schemes. Diversion of funds within the head of development was permissible except in the case of some specified schemes. Such diversion from pattern-schemes to non-pattern schemes only required a reference to the central Ministry of Education.

82 Government of India, *Audit Report (Civil)* 1955, Delhi, pp. 28-39. Vehement criticism of the procedure also came from the Team for the Study of Community Projects and National Extension Service (1956). See Committee on Plan Projects, *Report of the Team for the Study of Community Projects and National Extension Service*, 1957, New Delhi, pp. 29-32.

83 See letter No. Plan/5/2/57 dated 12 May, 1958 of the Planning Commission addressed to the state governments.

84 See letter No. PC (P) 4 (2)61, dated October 20, 1961 of the Planning Commission to state governments.

Before 1958 central assistance to education used to be released on the basis of recoupment. A state government thus had first to incur expenses on the development of education and then seek recoupment from the Accountant General to the extent of assistance. The resource position of the states being never too buoyant, this seriously handicapped the states in the implementation of plan programmes. Not infrequently, delay in securing recoupment from the Auditor-General, the slow-moving ways of whose office is well-known, led to the postponement, sometimes indefinite postponement, of action on other schemes—particularly by the poorer states.⁸⁵ The situation needed rectification and a new procedure for release of funds was adopted with effect from 1958-59.⁸⁶ The revised procedure sought to ensure the uninterrupted flow of aid funds to the states, by providing for making advances to the states to the extent of three-fourths of the estimated assistance for each financial year. They were in the form of interest-free⁸⁷ ways and means advances, paid in equal monthly instalments from May to January and adjusted by provisional payments of grants-in-aid and loans in March each year, on the basis of actual expenditure for the first three quarters and estimated expenditure for the last quarter. The financial crisis in the states towards the end of the third plan forced relaxation even in these rules. Central assistance was now available for education as lump sum ways and means advances to the extent of five-sixths of the total assistance in ten equal instalments paid on or about the 15th of each month.

Final adjustment of the ways and means advances was made in June every year. This was done on the basis of the agreed

- 85 Commenting on this, the Auditor-General in the report cited earlier (p. 111 *ante*), went to the extent of suggesting that, if the centre wanted to bear 50 per cent of the cost of the programmes, it would yield better results if it was done by accepting liability for 50 per cent of the programmes.
- 86 The procedure had been discussed and agreed upon in the State Finance Ministers' Conference in November 1957. The Planning Commission conveyed the adoption of the procedure to the states in the letter cited at footnote 83.
- 87 The part of these advances which would ultimately be converted into loans and any uncleared balance of such advances outstanding at the end of the year would, however, carry interest.

annual outlay, outlay actually made and the annual assistance fixed for the head of development. The formula adopted was :

$$\frac{\text{Actual outlay} \times \text{loan/grant fixed for the head of development}}{\text{Agreed outlay}}$$

The final five-year adjustment was also made on the basis of performance. There was a ceiling on central assistance for each head of development, including education and for the plan as a whole. If a state did not fulfil the target of outlay under a particular head, it would lose proportionately from the fixed quantum of assistance.⁸⁸

All this is a little complicated indeed which has made Ursula Hicks say : "As things have developed, financial relations are more complicated in India than in almost any other federation, certainly more than they are in the U.S.A., Canada, Australia or Nigeria. A formidable problem of coordination is implied."⁸⁹ The complexity of the financial arrangements in India have sometimes been attributed to the legacies of our colonial past. There indeed may be some truth in the claim that the British distrust of the 'native' in matters of money still lingers on in our financial set-up. There are, however, other contributing factors also. There is, for instance, the endless variety of regional economic and social conditions and needs. The dichotomy of the centrally-sponsored and centrally-assisted schemes would seem, in the context of the existing socio-economic disparities, to be the logical outcome of a federal set-up. The centrally-sponsored schemes aspire, at least in their conception, after uniformity and pan-regional solutions to national problems; they also seek to stimulate

88 From the point of view of the total quantum of assistance to the state plan, shortfall under one head of development would not make any difference, for, if the total agreed outlay on the plan as a whole was fulfilled, the state would get a loan to the extent of the sectoral shortfall. Thus, such a shortfall would affect only the grant component of the total assistance. See Amiya Chatterji, *The Central Financing of State Plans in the Indian Federation*, 1971, Calcutta, K. L. Mukhopadhyay, p. 11.

89 Ursula K. Hicks, "Some Fundamental Problems of Federal Finance", Supplement to *Capital*, December 23, 1965, p. 15.

frontier practices in education.⁹⁰ State schemes, on the other hand, cater to the local needs of the states. Those of them that qualify for central assistance may be considered, as one student puts it, the *largest common measure* of the problems to be tackled by the states.⁹¹

This is not meant to be an apologetic for the *status quo* in centre-state financial arrangements in education. We shall, in fact, presently turn to a discussion of the problems created by these arrangements in the sphere of centre-state relations in education. The issue has however to be seen in its proper perspective.

Operation of the financial arrangements under the various plans

We now need to turn our attention to the problems raised in education by the financial arrangements briefly described above. But, before we do so, it may be useful, even at the risk of some repetition, to attempt at least a short account of the operation of these arrangements under the various five-year plans.

The First Five Year Plan : The first five-year plan was not a plan in the sense in which we have come to know them in the subsequent plans. The kind of exercise that goes into the formulation of the five-year plans now, had not been gone through in this case. The process of plan formulation that preceded the first plan consisted in putting together the on-going post-war reconstruction and development schemes under various heads of development and adding to them a few more mainly articulated to the stepping-up of agricultural production.

The system of grant-in-aid⁹² adopted in the first plan was that of

90 In this context, it may be interesting to recall the criteria suggested by Naik for centrally-sponsored schemes, in a review of central assistance for education, made towards the end of the third plan. Naik wanted educational programmes which had 'a seed value, a multiplying effect, or a very high potential for qualitative improvement' to be identified and placed in the centrally-sponsored sector. J. P. Naik, *op. cit.*, p. 178.

91 Amiya Chatterji, *op. cit.*, p. 94.

92 For a descriptive account of various systems of grant-in-aid, see Atmanand Misra, *Grant-in-aid of Education in India, 1973*, Delhi, Macmillan India, pp. 41-56.

specific purpose grants.⁹³ The state schemes to which such grants were given during the first plan are given in *Annexure I* appended to the book. The *Annexure* also shows the varying patterns of grant attached to the schemes.

It will be seen from the *Annexure* that patterned central assistance was available to a large number of schemes. Eight of them were related to elementary education, three to secondary education, four to social education and one to propagation of Hindi. The *Annexure* will also show how complicated the structure of the pattern was. It varied from scheme to scheme, from year to year and from the non-recurring component of expenditure to the recurring component. 'Educational unemployed relief scheme'⁹⁴ under Social Education carried the highest percentage of assistance (namely, seventy-five percent) in 1953-54 both on recurring and non-recurring expenditure, though it tapered off to twenty-five per cent, on both, by 1955-54. 'Pre-primary schools' and 'urban basic schools' earned sixty and sixty-six percent on recurring and non-recurring expenditure respectively, in 1952-53 and 1953-54, but the assistance on recurring expenditure shrank to 33½% in 1954-55 and 1955-56 while that on recurring expenditure continued to be the same.

93 Naik justifies the adoption of the system on several grounds (See J. P. Naik, *op. cit.*, p. 166). The strangest of his arguments, however, is the historical one. The Despatch of 1854, the first document on grant-in-aid in India, says Naik, recommended the adoption of specific purpose grants. Grants also were given for specific purposes, he adds, during 1900-1921 when central grants for education were revived on a large-scale. Justifying specific purpose grants on these grounds is as good as saying: "What was, should be". If one may be allowed an *obiter dictum* here, this is also one instance of the alarming degree of respect for tradition and authority in educational thinking in this country. Educational literature in India abound in them.

94 In passing, we may note one interesting aspect of this scheme. The scheme provided for the expansion of existing rural schools as well as the establishment of new ones by the appointment of more primary school teachers. This was meant to relieve unemployment among the educated. In other words, the problem of educated unemployment was sought to be solved through the creation of more education. The scheme, with no follow-up measures to curb the upward push of the increased enrolment at the first level that it meant, is only one example of the lack of internal consistency in our educational policies,

This structure of patterning was calculated to keep a large contingent of accountants on their toes. "Taken all in all, it was a rather complicated structure", laments Naik, "which needed a great deal of careful accounting work, both at the centre and in the states. Administratively, it kept a few officers quite busy and cases involving adjustments of grant-in-aid dragged on for years before a final settlement could take place."⁹⁵ The hair-splitting involved in the exercise of varying the pattern of assistance on the basis of the scheme, the year and the nature of expenditure was not only arbitrary, but also invidious. One can find no rational explanation for it, but for the usual bureaucratic penchant for 'paper work', with which students of Indian administration are only too familiar.

The central allocation for education in the first plan was 38.9 crores of rupees.⁹⁶ This however also included allocation for central schemes, that is, schemes directly operated by the central government.

The Second Five Year Plan : The second five-year plan was qualitatively different from the first in many crucial respects.⁹⁷ Firstly, the second plan was no *ad hoc* affair; a great deal of discussion and technical spade-work went into its formulation, work on which was started as early as the first months of 1954. Secondly, the plan was based on what is considered by many to be a 'distinctively Indian planning ideology'⁹⁸ for the development of which Pandit Nehru and his Economic Adviser at that time, Prof. Mahalanobis of the Indian Statistical Institute, Calcutta, was mainly responsible. It was this ideology that found expression in the famous Avadi resolution of the ruling party, the Indian National Congress, on the 'socialistic pattern of society'. If this

95 J. P. Nalk, *op. cit.*, p. 166.

96 Government of India, *Education and the Plan*, 1955, Delhi, Ministry of Information and Broadcasting, p. 43 (table)

97 For a critical discussion of the formulation of the second plan and the assumptions underlying it, see A. H. Hanson *op. cit.*, chap. v, pp. 123-170 *et alibi*.

98 Hanson, for example. See *Ibid.*, p. 123.

distinctive Indian ideology of planning did not find any perceptible reflection either in the form or in the content of the educational component of the plan, it might be only because we had not yet learned to articulate our educational system to our philosophy. We have still not fully done so, but, this is a problem that the so-called 'soft states' among the new nations are every where finding it difficult to tackle.

The second five-year plan in education did, however, have improvements to show over the first plan, particularly in the matter of grant-in-aid to the states which is of our interest here. The system of specific purpose grants continued, but two important changes were incorporated in the system with a view to simplify it.⁹⁹ The first of these was to put an end to the irksome practice of change in the rate of assistance from year to year and of differential aid to the recurring and non-recurring components of expenditure on the aid-bearing schemes. The rate of grant-in-aid was now fixed for the plan period as a whole and usually, the rates did not vary from one component of expenditure to the other. The second change was to abandon the individual state scheme as the unit of aid ; groups of schemes now became the unit. The aid-bearing schemes in the second plan were, therefore, subsumed under four groups, namely, elementary education, secondary education, higher education and 'other educational programmes'.

Apart from these two changes in the grant-in-aid system that operated during the first plan, the second plan also introduced an innovation in the form of 'centrally-sponsored schemes'.¹⁰⁰ The plan included a large centrally-sponsored sector consisting of as many as twenty three schemes (See *Annexure 3*). Rates of assistance were prescribed for these schemes also, to start with, but, the matching contribution stipulated for the states was either considerably reduced or waived altogether in their favour, towards the end of the plan. Thus, the schemes were ultimately financed wholly by the central government.

⁹⁹ See also p. 110, *ante*.

¹⁰⁰ See also p. 109, *ante*

The centrally assisted schemes operating under the second plan have been listed in *Annexure 2*, along with the rates of assistance attached to them. It will be seen from the *Annexure* that the number of these schemes increased considerably. While there were sixteen of them in the first plan, now there were no less than twenty nine. None of the schemes carried less than fifty per cent assistance. 'Relief to educated unemployed and expansion of primary education' received cent percent subvention—a recognition perhaps of the central government's responsibility in universalising education at the primary level.

The Third Five Year Plan : By the time the third five-year plan was to be formulated, plan preparation had become a continuous process. Preliminary steps for studies and investigations relating to the third plan had started as early as 1957.¹⁰¹ The circumstances in which the preparation began were, however, not very heartening. The country was in the midst of a crisis, due to which the second plan itself had been cut down to a 'core'.

Two significant developments took place during this period in the area of central aid for education to the states. First, the process of simplification of the pattern of assistance was carried still further. Central assistance was now given for the educational plan (that is, the 'head of development') as a whole and not for individual schemes of education, as during the first plan or, for groups of schemes, as during the second plan.¹⁰² Under this system, as we have seen earlier, if expenditure under the developmental head of education fell short of the approved outlay, only proportionate assistance was released. But, the state government could still claim full central assistance, if the total state plan expenditure was equal to or higher than the approved plan allocation, the shortfall under the various heads of development being available in the form of Miscellaneous Loans.

It must be noted that even after this change, seven state schemes were still designated as centrally assisted schemes and

101 See A. H. Hanson, *op. cit.*, p. 170, for the reply of the Deputy Minister of Planning to a parliament question in this regard.

102 See also p. 111, *ante*.

rates of assistance prescribed for them (See *Annexure 4*). These schemes now served only two purposes : first, that of providing a 'norm', indicating the common measure of educational developments that the national government would like to see in the states ; and second, that of providing a basis for calculating central aid. As regards the latter role, it must be said that, once the central assistance was calculated, the schemes and the rates of assistance attached to them ceased to exist for purposes of aid. The only exception to this was "schemes relating to girls' education". Assistance in this case was earmarked and could not be diverted.

The second significant change that the third five-year plan made was a rather steep reduction in the size of the centrally sponsored sector (See *Annexure 5*). During the plan discussions in the National Development Council, state representatives had not taken very kindly to this second plan innovation. Some even demanded the complete disbanding of the sector. The Ministry of Education at the centre, on the other hand, was working for a strong centrally-sponsored sector. In the compromise struck, the sector was allowed to survive in an atrophied form. The schemes now included in the sector related to research, evaluation or programmes for which the central government had a constitutional responsibility.

The Three Annual Plans : The fourth five-year plan, which was to get into operation in 1966 at the end of the third, did not fructify. It is not necessary to go here into the factors responsible for this. The result of this development was that the country had, during the three years of 1966-67, 1967-68 and 1968-69 that followed the third plan, what is sometimes opprobriously and yet perhaps correctly, called a 'plan holiday'. This plan interregnum was covered by three 'annual plans'. No significant development took place in education, nor indeed in any other field, during these years, which makes it easy for us to skip this period in our account of developments in centre-state financial relations during the various plans.

The Fourth Five Year Plan : By the time the new fourth plan was finally launched in 1969, many important developments had

taken place. The 1967 general election had radically changed the political complexion of the country. The Administrative Reforms Commission had completed its labours and its views on various aspects of centre-state relations were before the public, and the union and state governments.¹⁰³ All this forced a review of centre-state financial relations. The National Development Council which was seized of the issue of the criteria for, and the patterns of assistance to the states, appointed, in May 1968, a sub-committee to go into the question. As a result of the recommendations of the committee, there was now no schematic pattern or matching conditions in the matter of central plan assistance to the states. The 'liberalised' system of central assistance for different heads of development evolved in the third plan was also abandoned. Assistance was now proposed to be given through block grants and loans for the state plans as a whole.¹⁰⁴ Each state was to get thirty percent of the central assistance for which it was entitled¹⁰⁵ in the form of grant and seventy percent by way of loans. To ensure that over-all priorities of the plan were adhered to, outlays for certain crucial programmes were earmarked and were not to be diverted. Thus, under 'Education', the outlay in the state plans for elementary education was earmarked. The operative implication of this was that if the expenditure of the states on elementary education showed any shortfall, they had to forgo a proportionate amount from the lump sum grant promised to them. As a part of the re-thinking on centre-state financial relations, the position of the centrally-sponsored sector was also examined by the Planning Commission in consultation with the ministries at the centre and

103 The commission, it may be recalled, had recommended the abolition of patterns of assistance and the matching principle. See Administrative Reforms Commission, *Report on the Machinery of Planning*, pp. 28-29.

104 Planning Commission, *Forth Five-Year Plan, 1969-74, 1968*, pp. 55.

105 The entitlement was determined on the basis of the PFN (Population, Financial Ability and Need) formula for central assistance evolved by the sub-committee of the NDC mentioned earlier. The formula stipulated that the total quantum of plan assistance be disbursed in the following manner : (i) 10% to be earmarked for strategically important states; and (ii) The remainder to be distributed as under : (a) 60% on the basis of 1966 population ; (b) 10% on the basis of per capita state income ; (c) 10% on the basis of per capita state taxation; and (d) 20% on the basis of spill-over irrigation and power projects and other special problems.

the governments in the states. Consequent upon this, criteria were prescribed which a scheme had to satisfy before it could be included in that sector. These criteria¹⁰⁶ were :

- i. They should relate to demonstrations, pilot projects, survey and research ;
- ii. They should have a regional or inter-state character ;
- iii. They should require lump sum provision until they could be broken down territorially ; and
- iv. They should have an over-all significance from the all-India angle.

The application of these criteria led to the transfer of all centrally-sponsored schemes related to school education to the state sector. The total outlay on the schemes so transferred became a part of the fourth plan outlay of the states, the central share of the outlay being available to the states as assistance over and above the amount already allocated to them for the fourth plan. The result of this 'fat-shedding' operation was that the sector was left with a limited number of schemes (See *Annexure 6*).¹⁰⁷

The foregoing account has been concerned a great deal with procedural matters. This is unavoidable because, as the ARC Study Team on Financial Administration found it necessary to point out by way of prefacing their enquiry into centre-state financial relations, procedural aspects cannot be isolated from institutional aspects, and 'the latter in turn are inseparable from the actual substance of the relationship'.¹⁰⁸ We had no way of reaching at the substantive unless through the procedural and institutional.

Basic problem : subversion of state autonomy in education

Looking at the procedures themselves, what immediately strikes one is the fact that these have been constantly changing,

106 The criteria were first suggested by the ARC Study Team on Financial Administration. See Report of the Team, *op. cit.*, p. 86

107 Even this number may be considered excessive by many. The ARC Study Team on Financial Administration thought the 90 schemes, under all heads of development, that continued to operate as centrally-sponsored schemes even after the reduction, to be 'too large' in number. See Report of the Team, *op. cit.*, p. 87.

108 Report of the Team, *op. cit.*, p. 77.

imparting into them a degree of instability. It is easy to peck at this and label it as '*ad hocism*' as some critics have done. To be sure, there is an element of improvisation here, but this perhaps is inevitable. What the ARC Study Team we have just referred to has to say on this bears reproduction :

Such change is inherent in any structure which is truly federal...In such a structure the relations between the centre and the states cannot be readily codified. Institutions and procedures have to be adapted, not indeed frequently, but as occasion demands, to any substantial change of the political and economic context.¹⁰⁹

Change, not even constant change, if the situation demands it, is not always a disadvantage. On the other hand, it may well be a sign of dynamism in the system.

Other criticisms also have been voiced from time to time. It has been said, for example, that the procedures attending central assistance to the states lack in principles,¹¹⁰ that they hamper the progress of the plans¹¹¹ and that the conditions attached to conditional grants are futile anyway, for, in the absence of an effective machinery for supervision these conditions remain on paper.¹¹² With the modification in procedures that we have briefly described earlier, the cause for these complaints and other complaints of this order has now been, by and large, removed.

There is, however, a more substantive criticism which is still relevant, particularly in the area of education which is a state subject. It is to the effect that plan assistance from the centre to the states has meant encroachment by the former on the autonomy of the latter. The major premises on which this criticism is based

109 *Ibid.*

110 See, for example, P. P. Agarwal, *The System of Grant-in-Aid in India*, 1959, Bombay, Asia Publishing House, p. 73; A.H. Hanson, *op. cit.*, p. 321; and, D.T. Lakdawala, *op. cit.*, p. 79.

111 See Amiya Chatterji, *op. cit.*, p. 104.

112 Administrative Reforms Commission, *Report of the Study Team on Financial Administration*, p. 89.

are : (i) the matters for which plan grants are given are, in the vast majority of cases, those that fall within the exclusive jurisdiction of the states;¹¹³ (ii) the size of the grants are settled and, later their actual issue are contingent upon detailed discussions between the state governments, the Planning Commission and the administrative ministry concerned at the centre;¹¹⁴ and, (iii) the Planning Commission on the recommendation of which the grants are given is, unlike the Finance Commission, an adjunct to the executive machinery of the union government.¹¹⁵ A little thought will show that none of these facts individually or even all of them collectively can, by itself, constitute sufficient ground for accepting the allegation as true, for, the problem of state autonomy in this context is whether the injection of fiscal capacity from outside has led to the substitution of the judgment of the states by that of the injecting authority, the centre. It is not implied that this has not happened. What is meant here is that this really should be the concern of academic enquiry.

Many perceptive students of centre-state financial relations have suggested, often on the basis of *a priori* economic arguments rather than on any carefully sifted facts that central assistance in the form of specific purpose grants have in fact led to a blunting of the judgment of the states on matters for which they are constitutionally responsible. "The effect of a subsidy to a commodity with elastic demand," observes Lakdawala, for example, "is to increase the consumers' spending on it, thus leaving less for other unsubsidised items. For the states with many pressure

113 See, for example, P.R. Dubashi, "Unitary Trends in a Federal System," *The Indian Journal of Public Administration*, Vol. VI, No. 3, *passim*; and Raman Bombwall, *op. cit.*, p. 53.

114 K. Santhanam, "Federal Financial Relations," *Commerce*, 12 November 1966, p. 847.

115 This, for example, was the import of the argument of P.V. Rajamannar in his minute appended to the Report of the Finance Commission, 1965. Rajamannar, who, incidentally, was the chairman of the commission, observed in the minute : "When compared to a statutory body like the Finance Commission, which is quite independent of the government, the Planning Commission may be described as quasi-political" (*Report of the Finance Commission, 1965*, p. 90)

groups and interests, the idea that they can give double services for half the expenditure (if the matching is 50:50) may prove too luring"¹¹⁶

More authoritative statements, this time based on carefully conducted case studies have come from the Administrative Reforms Commission and its various study teams. The Study Team on Centre-State Relationship made four case studies which were directly on education. The one on the third five-year plan in education of the state of Punjab clearly brings out how state priorities in education are distorted by central assistance.¹¹⁷ The study showed that the draft plan in education of that state itself contained a large, sixty-three percent component of pattern-bearing schemes. But, when it became necessary in the final plan to slash the outlay postulated in the draft, the hatchet went deeper into the non-pattern schemes than into the pattern-bearing ones. The reduction in the former was to the extent of 48 percent. When the Study Team took a close look at the unassisted schemes that were discarded or whittled down, it was seen that many of these should have received high priority in the state plan. (See *Annexure 7*)

Equally disconcerting is the finding of another ARC study team, the one on financial administration, which we have had occasion to cite more than once, on centrally sponsored schemes. The team came to the conclusion that the states tended to accept these schemes without proper scrutiny from the point of view of either their suitability or economy. The team also found that they were sometimes accepted even without the states being really

116 D.T. Lakdawala, *op. cit.*, p. 15. There have indeed been a few cases of states resisting the temptation. Uttar Pradesh, for example, did not accept the three-year degree course even though it was backed by central finance. But, the same state changed all its primary schools into 'Basic schools' overnight because there was central money in this, which only substantiates Lakdawala's contention.

117 Administrative Reforms Commission, "An Analysis of Assisted and Unassisted Schemes in the Third Five-Year Plan of Punjab Under the Sub-head Education," *Report of the Study Team on Centre-State Relationship*, Vol. II (Appendices), p. 76. The Study is appended to the book as *Annexure 7*.

interested in them; it was enough for them that the money came from the centre.¹¹⁸

The intention in the foregoing pages was not to make any moral judgment either on the way plan assistance in education is given by the centre or the way it is received by the states. The purpose of the present account was to describe the existing financial relations between these two in the field of education and to indicate the basic problem that attends these relations. The problem is that of state autonomy in matters of education and the tendency inherent in central subvention to education to subvert that autonomy.

- 118 Administrative Reforms Commission, *Report of the Study Team on Financial Administration*, p. 87. One of the four case studies in education undertaken by the ARC Study Team on Centre-State Relationship (and referred to earlier), was on centrally-sponsored schemes. The focus of the study, however, was the inordinate delay in processing some of them. But, it also sheds interesting sidelights on centrally-sponsored schemes. See Administrative Reforms Commission, *Report of the Study Team on Centre-State Relationships*, Vol., II, pp. 90-96.



THE CENTRE AND THE STATES IN PLANNING FOR EDUCATION

The dual polity and policy-making at the national level

The advantages of a federal polity in the case of a country like India are obvious. Economically, it helps in the pooling of resources, in the effecting of economies of scale in production and provides an extensive and ready-made market.¹ But, in education, as in many other areas of life, a dual polity creates serious problems, particularly when it is of people scattered over an area of continental dimensions, with a population running into millions and living in political units so unlike each other in their social organisation, economic resources and level of development.² The most formidable of these problems is the problem of policy-making at the national level and planning.³ An incidental, but

- 1 H.K. Paranjape, "Centre-State Relations in Planning", *The Indian Journal of Public Administration*, Vol. XVI, No. 1, January-March, 1970, p. 47.
- 2 We have had occasion to refer in some detail to this diversity in another chapter. See chapter III, "The Indian Constitution and the Constitutional Basis of Centre-State Relations in India", *passim*.
- 3 There have indeed been frequent suggestions to the effect that federalism hampers national planning. (See A.H. Hanson, *The Process of Planning: A Study of India's Five Year Plans 1950-64, 1966*, London, Oxford University Press, p. 15.) But, obviously, this is a problem that does not admit of any doctrinaire approach. The planning process in a federation and problems besetting it depend upon the 'balance of authority' in the federation. This balance is largely a function of the political culture, the political system and the chosen mode of economic development. (On this point, see Iqbal Narain and Arvind K. Sharma, "Balance of Administrative Authority in a Dual Polity: The Case of Food Administration in India", *Indian Journal of Public Administration*, Vol. XVI, No. 3, July-September, 1970, p. 296). The relation between the three, however, is complex and our knowledge of it meagre. A useful advance towards hypotheses in the area is made by Prof. David E. Apter in his widely

interesting illustration of the problem comes from the committee of members of parliament appointed in 1967 to consider the report of the Education Commission (1964-66) and 'to prepare the draft of a statement on the National Policy on Education for the consideration of the Government of India'. The committee had thirty members and almost every third member wrote a minute of dissent.⁴ It is well-known that the government itself was of not one mind on the issue and it took several months before it could finally bring out a statement. The content of the statement itself is perhaps ample indication of the difficulty of delineating, in the federal context, a national policy on education. The statement hardly is an adumbration of principles that would underlie governmental effort in education; it is only a prosaic listing of programmes.⁵ The impression is unavoidable that the statement has clearly circumvented the difficult problem of formulating and giving articulation to a national policy in education. It is not argued that the government at the centre is not keen on a national policy in education. What is implied is that it is not often easy to transcend the limitations of a dual polity within which the central government has to operate.

Planning in the constitution

Though planning did not, as Santhanam rightly points out, figure largely in the discussions of the Constituent Assembly,⁶ the Indian constitution does envisage considerable governmental planning. The 'Directive Principles of State Policy' embody certain broad national objectives and lay down that the state

discussed essay, "System Process and Politics of Economic Development". (See Bert F. Hoselitz and W.E. Moore (Ed.), *Industrialisation and Society*, 1963, The Hague; Also see David E. Apter, "Political Religion in the New Nations" in Clifford Geertz (Ed.), *Old Societies and New States*, 1971, New Delhi, Amerind Publishing Company).

- 4 There were nine minutes of dissent. The main report ran into 26 pages. The minutes of dissent, collectively, were shorter only by 3 pages! See Ministry of Education, Government of India, *Report of the Committee of Members of Parliament on Education*, 1967.
- 5 See Ministry of Education, Government of India, *National Policy on Education*, 1968.
- 6 K. Santhanam, *Union-State Relations in India*, 1963, Bombay, Asia Publishing House, p. 44

should strive to achieve them.⁷ Almost every one of the 16 articles that constitute the 'Directive Principles' has planning implications. They also define the basic nature of the polity that the state will seek to promote :

The State shall strive to promote the welfare of the people *by securing and protecting* as effectively as it may *a social order* in which justice, *social, economic and political*, shall inform all the institutions of national life.⁸

There are also several provisions in the constitution that imply planning in the field of education. It is not necessary here to make a reference to all of them.⁹ Suffice it to say that in Part IV ('Directive Principles of State Policy') itself educational planning is implied in three articles. There are Articles 45 and 46 which relate to free and compulsory education, and the promotion of the educational interests of the weaker sections of the people. Then there is Article 41. This article enjoins, among other things, that 'the state shall within the limits of its economic capacity and development, make effective provision for securing the right...to education...' It is, therefore, quite legitimate to claim that educational planning in India is not entirely without a constitutional basis.

However, the only explicit provision regarding planning that the constitution embodies is to be found in the Seventh Schedule. Entry 20 of the Concurrent List reads : 'Economic and Social Planning'. The ambit of the provision is obviously so wide that it includes all planning, including educational planning which is our present concern.

7 Article 37. The Administrative Reforms Commission has cited this to argue that 'the Central Government cannot...divest itself of the overall responsibility for seeing that the relevant constitutional provisions are observed' and therefore, for planning. See *Report on the Machinery for Planning*, p. 27.

8 Article 38. Emphasis added.

9 For a detailed reference to some of these articles, see Trilok N. Dhar, *The Politics of Manpower Planning, 1974*, Calcutta, Minerva Associates (Publications) Pvt. Ltd., pp. 74-76.

The wisdom of including planning in the Concurrent List of legislation is sometimes questioned. But, it should be remembered that planning is not a chunk of social arrangement like agriculture or industry. It is a global activity that cuts across all sectors of national life irrespective of the locus of legislative jurisdiction over them. It was this fact that led the Study Team on Centre-State Relationships of the Administrative Reforms Commission to say :

Planning involves a consideration not only of administration but of policy and this effort is therefore best undertaken against a national perspective, for what happens in one part affects the other parts and the whole must be viewed together for the sake of coherence and coordination.¹⁰

The team goes on to remark that the inclusion of 'economic and social planning' in the Concurrent List recognises this 'necessity'.

The problem

But the fact that the entry cuts across boundaries of legislative jurisdiction, however, imparts to it parameters which, if the Constituent Assembly discussions are any indication, the founding fathers might not have even suspected. It gives the government at the centre a lien over what other provisions of the constitution clearly set apart as state subjects. It is true that there has been no central legislation under the entry so far; nor indeed any *legal* conflict between the centre and the states on its basis.¹¹ But, the lien has been vigorously pursued as is evident, among other things, from the fact that 60 to 70% of the total expenditure on plans 'relate to matters exclusively assigned to the states, like education, health, forests, agriculture, irrigation, electricity, etc.'¹²

- 10 The Administrative Reforms Commission, *Report of the Study Team on Centre-State Relationships*, p. 91.
- 11 This, of course, is no guarantee that such conflicts cannot occur in the future. Their absence so far must be attributed to the peculiar economic and political situation prevalent in the country. The ARC study team on centre-state relations had occasion to refer to some of the factors responsible for this happy circumstance. See *Report of the Study Team on Centre-State Relationships*, *loc. cit.*
- 12 K. Santhanam, *op. cit.*, p. 45.

This then is the crux of the problem. While planning is a subject of concurrent jurisdiction, with the centre possessing a *priority lien*¹³ in the matter and with the 'sinews' of planning mostly concentrated in the centre, as we saw in an earlier chapter,¹⁴ most of the subjects to be planned—the 'developmental heads'—belong to the State List. What is more, the centre has not exactly hesitated to put in its oar in planning. This has, in the field of education, as indeed in many other fields of state jurisdiction, added new dimensions to centre-state relations.¹⁵ The burden of the present chapter is to identify, broadly though, these new dimensions in centre-state relations in education and also some of the problems emanating from them.

Centre-state relations in planning can be stated, at the risk of a tautology, to be the *style*, the *modus vivendi*, of inter-governmental operations in planning in a dual polity. This 'style' has to be extracted from a process which is a continuous and complex one. The quinquennial and annual plans are only visible end-results of this process which involves almost day-to-day contact and communication, both formal and informal, between a wide variety of governmental and semi-governmental agencies. Hanson describes the process in the following words :

There is a formidable flow of correspondence from the Planning Commission to state governments, from central ministries to state ministries, from a variety of central *ad hoc* organisations, directly or indirectly, to their state

13 This lien is embodied in Article 254 of the constitution. The Article reads in parts : "If any provision of a law made by the legislature of a state is repugnant to any provision of a law made by Parliament...with respect of one of the matters enumerated in the Concurrent List, then...the law made by Parliament...shall prevail..."

14 See chapter IV, "Centre-State Financial Relations in Education," *passim*.

15 Agriculture is another important state field where this has happened. For an interesting study of the phenomenon in agriculture, see S. S. puri, "Union-State Relationship in Agricultural Administration", *The Indian Journal of Public Administration*, Vol. XVI, No. 3, July-September, 1970, pp. 333-340

counterparts and vice versa. There are regular meetings of Finance Ministers, Development Commissioners, Ministers of Industry, Ministers of Agriculture, and the like. There are the visits to the state capitals of the Planning Commission's peripatetic Programme Advisers. There are innumerable journeyings of official personalities from New Delhi to the states, and from the states to New Delhi. There are 'trouble-shooting' missions in both directions and conferences in great abundance.¹⁶

It is in the course of this flux of activities that centre-state planning relations take shape. To extract the latter from the process of which these activities are only components would necessarily involve describing the process. Such a description is what is first attempted below. It should, however, be kept in mind that an exercise of this kind would inevitably mean a certain degree of over-simplification and perhaps, like all over-simplifications, some distortion.

In the present account, we cannot confine ourselves entirely to educational planning which is our main concern. Educational planning is a sectoral exercise. This has necessarily to follow a certain range of broad decisions at the global and macro level.¹⁷ As a matter of fact, in sectors in which detailed plans are drawn up by the states and responsibility for implementation rests with them, sectoral plans do not finally emerge until plans at the regional level have been considered and broadly approved.¹⁸ By this time, a great deal of major planning decisions have already been taken and these decisions have far-reaching implications for the detailed sectoral planning to follow. Thus, even if it were possible to limit our attention to educational planning *per se*, in the narrow sense, it would not be desirable to do so for obvious reasons.

Another caveat also may not be out of place at this stage. The

16 A.H. Hanson, *op. cit.*, p. 348

17 On the 'logical priority' of macro-planning, see A. H. Hanson, *Planning and the Politicians and Other Essays*, 1969, London, Routledge and Kegan Paul, p. 193

18 Planning Commission, *The Planning Process*, 1963, New Delhi, p. 27.

First Five Year Plan (1951-56), as we had occasion to observe in another chapter, was not more than an aggregation of schemes many of which had been started earlier by various government departments. The only process involved in the First Plan, therefore, was one of conglomerating. Since then regular procedures of plan formulation have been developed, basically as a logical result of the specialised agency of planning—the Planning Commission that had been called into existence by now—trying to allocate itself a specialised role. But, these procedures have not been static. They have been in a process of evolving, mostly as a result of problems that arose and pressures that were built up around these problems,¹⁹ but sometimes also as an outcome of conscious stock-taking. To the latter category belong changes that were made in procedures following the recommendations of the Administrative Reforms Commission.²⁰ The present account is not focused on these changes, unless incidentally. This, however, should not give the impression that the planning process and the planning procedures in the country have been a non-changing quantity.

The process of planning

i. *Five Year and Annual Plans* : The formulation of a five year plan, as can be expected and as the Administrative Reforms Commission has pointed out,²¹ is a time consuming process.²² It is particularly so in a country where it involves the orchestration

19 We have seen instances of this in an earlier chapter. See chapter IV, "Centre-State Financial Relations in Education", *passim*.

20 For an account, though not very satisfactory, of the changes, see H. K. Paranjape, *The Reorganised Planning Commission : A Study in the Implementation of Administrative Reforms*, 1970, New Delhi, The Indian Institute of Public Administration, pp. 33-55

21 See *Report on the Machinery for Planning*, p 14

22 For a succinct yet lucid account of the process, see Planning Commission, *op. cit.* For a critical evaluation of the process by an authoritative body, see Administrative Reforms Commission, *Report on the Machinery for Planning*, *op. cit.* There is hardly any study of the process with focus on educational planning. T. N. Dhar has a chapter on 'The Process of Educational Planning'. (Trilok N. Dhar, *op. cit.*, pp. 112-135). But his concern, mainly, is higher education.

of the activities of not only two tiers of government, but also a large number of planning and policy-making agencies. The work of planning is, therefore, set afoot well in advance of the commencement of a new plan, which evolves gradually through a series of stages.

A new plan is on the anvil even before the current plan is mid-way through. Normally, work on it stands about three years in advance. The first stage²³ of the task is consideration of the general approach to the formulation of the plan. This involves an examination, at the macro level, of the state of the economy. Studies are, therefore, undertaken of past trends in production and the rate of growth of the economy in relation to long-term goals. An attempt is made on the basis of these and similar studies, to identify social, economic and institutional inadequacies. This leads to the formulation of tentative conclusions regarding the general 'approach' to the next five year plan. The conclusions are submitted by the Planning Commission to the cabinet at the centre and then placed before the National Development Council (NDC), which, as we shall see in a later chapter, is constituted as a broad federal, decision-making forum. It must be mentioned that at this stage no attempt is made to suggest magnitudes for the plan; the 'approach' concerns itself only with questions of the socio-economic framework of the plan and the direction of advance.

The first stage of work in the formulation of the plan ends with the NDC indicating tentatively the rate of growth to be assumed in the next plan and the objectives and considerations which should receive special emphasis. In the second stage,

- 23 The Administrative Reforms Commission identifies four stages in plan formulation in India (See *Report on the Machinery for Planning*, op. cit., p. 4). It is interesting to compare these with the stages in planning postulated by Jan Tinbergen. Tinbergen, in his *Central Planning* (1964, New Haven, Yale University Press, pp. 88-89) identifies four stages of plan formulation the macro stage, the sector stage, the project stage and the final stage. He, however, modifies his categories slightly in a later work (*Development Planning*, 1967, New York, McGraw-Hill, p. 76) and reduces the stages in plan formulation into three, the macro phase, the middle phase and the micro phase.

effort is directed at working out the general dimensions of the plan in the light of this 'mandate' from the NDC. This involves detailed technical studies, within the Planning Commission, of the physical contents of the plan, their inter-relationships and their financial implications.

While these studies are underway within the Planning Commission, a number of working groups are set up for different sectors of economic and governmental activity. The groups usually come to be constituted around two years before the commencement of the new plan. They assess past performance in the sector concerned, identify inadequacies in policy and suggest future strategies and programmes. In the formulation of the Fourth Plan, the working groups were also asked to formulate their proposals in the perspective of the requirements for the next fifteen years. The groups, which the Administrative Reforms Commission has called 'the most important instrument developed by the Planning Commission to assist it in the formulation of the five year plans'²⁴, consist mostly of experts drawn from the concerned ministries and executive agencies at the centre. Simultaneous with the setting up of working groups at the centre, the states are also advised to set up their own working groups which are expected to remain in touch with their counterparts at the centre. While the studies of the two sets of working groups are in progress, the commission also seeks the advice of leading non-official experts on various aspects of policy. This is done through a number of panels and advisory committees.²⁵ The idea behind the working groups obviously is to 'bring together the experience and expertise of persons specialising in different fields' and to associate

24 *Report on the Machinery for Planning, op. cit.*, p. 13

25 Thus in relation to the Third Plan, apart from a panel of economists and another of scientists, there were panels on the following: agriculture, land reform, education, health, housing and social welfare. There were working groups to study financial resources, agriculture, irrigation, power, steel, fuel, general education, technical education, scientific research, health and family planning, housing, and urban and rural planning, and the welfare of the backward classes. See Planning Commission, *op. cit.*, p. 45

in the formulation of the plan 'those who are charged with the task of implementing it.'²⁶

The second stage of plan formulation ends with the preparation by the Planning Commission of what is called the Draft Memorandum on the plan. This is done on the basis of technical studies undertaken by the Planning Commission itself and the discussions in the various working groups and panels. The Memorandum is essentially a broad magnitudinal and directional exercise and poses the main policy issues requiring consideration at the highest level.²⁷ It does not attempt a regional break-down; this is postponed to a later stage when a 'considered basis for the formulation of the state plans is available'.²⁸

The Draft Memorandum is submitted to the central cabinet. The discussion in the cabinet is considerably detailed this time, for, there is hardly a ministry which is not deeply concerned with the adequacy and, to a lesser extent perhaps, the direction of the proposals relating to the field of its operation. After the discussion, the document is placed before the National Development Council.

The deck is now clear for the next stage in plan formulation. Work at this stage is directed towards the preparation of the Draft Outline of the Five Year Plan. The Outline basically is an elaboration of the Draft Memorandum. In preparing it, the suggestions or comments made by the NDC on the Memorandum is taken into account. An innovation of some political significance was introduced with the Third Plan. The Prime Minister, who is also the chairman of the Planning Commission, met with the representatives of the main political parties in the parliament

- 26 *Ibid.* This strategy of pooling experience and expertise and of associating those who are responsible for plan implementation with planning is a widely accepted one. Lewis, for example, is one of its advocates. See W. Arthur Lewis, *Development Planning*, 1966, London, George Allen and Unwin Ltd., p. 246.
- 27 The Administrative Reforms Commission, *Report on the Machinery for Planning op. cit.*, p. 4.
- 28 The Planning Commission, *op. cit.*, p. 46. See also, Trilok N. Dhar, *op. cit.*, p. 114

several times and discussed with them some of the major issues involved in the plan.²⁹

The purpose of the Draft Outline of the Five Year Plan is to give the plans envisaged in different sectors and broadly indicated in the Memorandum fuller content, and to bring out the main issues of policy and objectives, and the approach which is proposed to be adopted.³⁰ The Outline is made available to the various central ministries and the state governments in draft and is commented upon by them. It is considered in the central cabinet and then submitted to the NDC. With the approval of the latter, it becomes a public document and is published. From now on the outline is subjected to the widest possible discussion. State governments make arrangements for it to be discussed at lower levels of state administration. At the national level, both the houses of parliament discuss it. This parliamentary scrutiny is continued in greater detail in a series of parliamentary committees which individual members are free to join. Comments are also invited from all sections of public opinion.

While the Draft Outline is thus under discussion throughout the country, the Planning Commission, in association with the central ministries, is engaged in another exercise, namely, 'plan discussions' with the states. These discussions relate to 'estimates of resources likely to be available and measures of mobilisation of additional resources as well as proposals for sectoral programmes of the states.'³¹ They are held, in the case of each state, both at the official and at the political levels. The final conclusions, however, are reached in consultation with the chief ministers of individual states. The conclusions so reached are 'regarded as understandings between the Planning Commission and the states for (*sic*) the size and composition of each state's plan, the main targets and programmes to be fulfilled, and the obligations undertaken by the centre to provide a given quantum of finan-

²⁹ Planning Commission, *loc. cit.*

³⁰ *Ibid.*

³¹ Administrative Reforms Commission, *Report on the Machinery for planning*, *op. cit.*, p. 5

cial assistance and by each state to find its share of resources and observe the agreed priorities'.³²

The Planning Commission now prepares a fresh memorandum. The basis of this second memorandum is the plan discussions with the states, the comments received from various sources and the detailed recommendations that the working groups and panels have by now formulated. The document delineates the basic features of the plan, the emphases in policy directions and the issues which may require further consideration before the plan is finalised. It is submitted to the central cabinet and the National Development Council, where it is discussed. The conclusions reached during these discussions constitute the basis for the final Report on the Five Year Plan.

The preparation of the Report on the Five Year Plan is the last stage of the long, and in many ways arduous task of plan formulation. The Report outlines the objectives of the plan, the policies underlying it and the programmes through which they are sought to be implemented. As in the case of the Draft Outline, it is also made available to the central ministries and the state governments in draft for their last minute consideration and comments. The final Report is prepared in the light of these comments and is submitted to the central cabinet and the National Development Council. The Report is finally presented to the parliament for discussion and approval.

The medium-term quinquennial plan provides only a rather diffused framework for the day-to-day implementation of a plan. It is also necessary to 'feed' the five year plans into the annual budgets of the central and state governments. Though this phasing is broadly indicated in the five year plan itself, review and adjustment became necessary as the plan progressed, particularly in a situation of scarcity of resources, goods and personnel. Annual plans³³ are, therefore, vitally important, for, the effective implem-

32 Planning Commission, *op. cit.*, p. 47

33 For the introduction of the practice of annual planning, see H. K. Paranjape, *The Planning Commission : A Descriptive Account*, 1964, New Delhi, The Indian Institute of Public Administration, pp. 51-53

entation of the five year plans depend upon them.³⁴ Annual plans, in fact, are the main operational instruments of the five year plans.³⁵

The preparation of the annual plan begins in the Planning Commission about August-September each year. An annual plan has naturally to be based on the unfinished tasks of the five year plan. The different divisions of the commission, therefore, undertake an assessment of the achievements of the plan so far and the progress anticipated during the current year. As the tasks that lie ahead have to be tailored to the resources available, the Economic Division of the commission simultaneously undertakes a study of such resources. A similar exercise is also made in the Ministry of Finance. The two estimates of resources are compared against each other so that an agreed picture of the resource position for the relevant year is available. A broad agreement on the quantum of central assistance to the states is also arrived at.

On the basis of these financial studies and the assessment of the development tasks ahead in the framework of the five year plan, the Planning Commission prepares 'guidelines' for the states for the formulation of their annual plans for the following year and communicates them to the states. These guidelines stipulate the general considerations to be borne in mind in formulating the annual plan and also indicate the quantum of central assistance available.³⁶ The states, on their side, are asked to furnish along with their plans the estimates of their financial resources and also details of proposals for mobilisation of additional resources.

34 Administrative Reforms Commission, *Report on the Machinery for Planning*, *op. cit.*, p. 5

35 *Ibid.*, p. 21. Also, Planning Commission, *op. cit.*, p. 51

36 The guidelines for the annual plan of 1976-77, for example, says: 'The economy is showing signs of stabilities (*sic*) but it is too early to assess resources for 1976-77. For the purpose of this exercise, however, it may be assumed that the total annual outlay is likely to be of the same order as for 1975-76.' D.O. No. PC(P)2 dated September 30, 1975.

The next stage in the formulation of the annual plan consists of 'plan discussions' between the centre and the states on the annual plan proposals of the latter. These discussions generally start around November-December every year and the time is usually indicated in the guidelines itself so that the states may make their preparations³⁷ well in advance.

Plan discussions take place in a special working group on resources and in a number of sectoral working groups. These groups consist of officers of the central ministries concerned, the Planning Commission and of the state the proposals of which are under consideration. The special working group on resources meets and thrashes out the resources position a day in advance of the meetings of the sectoral working groups. The sectoral groups first meet together under the chairmanship of the Programme Adviser concerned of the commission. The latter gives the groups an idea of the financial resources that would be available to the state for the next year's plan. The groups then meet separately to finalise the proposals with respect to each sector. The proposals are submitted to the Programme Advisers who forward them to the Planning Commission along with their comments. They are then discussed in a meeting of the Planning Commission which is also attended by the chief minister of the state concerned. Final decisions regarding the state's annual plan for the next year, the quantum of central assistance to the state and the order of the state's own financial effort are taken in this meeting.

The preceding account does not make any specific reference to the process of planning in the states, but it should, though indirectly, give some idea of that process, such as it is. The task of planning in the states as it is organised to-day is (lamentable though this may be) mainly one of coordination. Departmental (and in some cases district level) plans are called for at the appropriate time. On the receipt of these plans, they are checked for internal consistency, and for conformity to the Plan-

37 These are time-consuming. Apart from preparing the plan (a large number of copies of which are usually asked for), the states have also to be ready with the 'data base' which is filled into several performa that usually accompany the guidelines.

ning Commission's directives. Since the total cost of the departmental and district plans are invariably way beyond the ceiling prescribed for the state by the Planning Commission, some pruning also is attempted though often without much success. This is generally done in a meeting of the minister and secretaries of the departments of planning and finance and of the department concerned with the subject. The proposals are then submitted to the cabinet sub-committee for planning or, where such a committee does not exist, to the cabinet. From here the plan goes to the State Planning Advisory Committee. In the case of the five year plan, the state legislature may also discuss the proposals at this stage.³⁸ With the approval of the State Planning Advisory Committee, the state's Draft Five Year Plan is ready and it is forwarded to the Planning Commission and the central ministries³⁹.

ii. *Plans in Education*⁴⁰ : Our description of the planning process has been general, but the picture that emerges gives an idea of the process of plan formulation also in the educational sector.⁴¹

38 A state legislature discusses the annual plan only after it has been incorporated in the state budget.

39 For a fuller account of state planning, see P.K.B. Nayar, *Leadership, Bureaucracy and Planning in India*, 1969, New Delhi, Associated Publishing House, pp. 24-34.

40 For a brief discussion on the process of formulating sectoral plans in general, see Planning Commission, *op. cit.*, pp. 30-35. This publication is now more than a decade old, but there has not been any substantial change in the process of sectoral planning during the period. The discussion also makes a specific reference to the bases of establishing targets in the fields of technical and professional education, and general education.

41 It may not be out of place to mention here that the process that we have tried to delineate relate, in the main, to programmes of development undertaken by the central and state governments. This is because the Indian plan is not comprehensive in the sense that every sector of development is planned in detail, a point that the Planning Commission itself emphasises (See Planning Commission, *op. cit.*, p. 15). This is true about education also. The only 'planning' that is done with respect to the private sector in education consists in extrapolating, on the basis of past trends, the financial contribution that non-government sources will make to educational expenditure (See Trilok N. Dhar, *op. cit.*, p. 133n). Edu-

Before we attempt here underlining the educational components of that picture, one general observation about the nature of educational planning may be in order. A broad distinction is generally made 'between sectors in which plans are formulated in terms of physical possibilities or the requirements of the economy, and those in which the resources that can be made available rather than the measure of development that can be achieved constitute a major determining consideration.'⁴² Education which is even now included in 'social services' belongs to the second category. Technical and professional education may be a partial exception.⁴³ In this area some long-range manpower planning has been attempted and useful work is being done by the Institute of Applied Manpower Research.⁴⁴ In the field of general education, planning is guided, mainly, by the broad social desideratum of providing free and compulsory education to the 6-14 age group.⁴⁵

cational plans also do not include educational activities undertaken by the central and state governments outside the ministries of education. (Some idea of the extensiveness of such activities can be had from Ministry of Education, Government of India; *Educational Activities of the Government of India*, 1963, New Delhi).

42 Planning Commission, *op. cit.*, p. 33-34

43 Partial because, apart from the inhibiting factors specific to the Indian case, a thorough exercise in manpower planning is not easy. Manpower planning entails an extrapolation of the sectoral distribution of the economy and calculating back from this the skill requirements ahead. This sounds a very attractive and plausible strategy, but the difficulties besetting it are obvious. (For these difficulties, see John Vaizey, *Education in the Modern World*, 1967, London, World University Library, pp. 60-61, and, Tri-lok N. Dhar, *op. cit.*, pp. 39-48)

44 Other institutions which have done valuable work in the field of manpower forecast in India are: The Planning Unit of the Indian Statistical Institute, the Perspective Planning Division of the Planning Commission and the Unit for Economic and Statistical Studies on Higher Education of the London School of Economics.

45 What the only reference to education in the Fifth Five Year Plan approach paper says is illustrative of this: 'The constitutional directive is that children upto the age 14 should be provided with free and compulsory education within a period of ten years of the commencement of the constitution. That date was passed in January 1960... The problem being basic to our objective of creating a socialistic society, special attention

The Preliminary Memorandum on the Fourth Five Year Plan of West Bengal, a state ruled by a non-Congress government highly critical of the planning procedures evolved by the Congress government at the centre, illustrates the distinction made here. The document outlines the strategy of the state plan as follows :

- (a) Maximum efforts in primary sectors like Agriculture, Animal Husbandry, Forestry and Fishery—investment in these sectors will be limited only by their capacity for useful spending in quick yielding schemes ;
- (b) Maximum investment out of the balance of resources available in the industrial sector including generation of power with emphasis on schemes having the highest employment potential and producing (the) largest volume of goods in the shortest possible time ; and
- (c) Maintenance of Social Services at the existing level of efficiency and expansion to the extent practicable consistent with the basic and long term needs of the community and the dictates of the constitution.⁴⁶

One unfortunate outcome of this 'social desideratum-cum-residual resources' strategy in the planning of education is that the initial macro exercises in the assessment of the economy that precede plan formulation proper are largely, though not wholly, as we shall see later, irrelevant to educational planning. The linkage between planning in education and other sub-systems of the economy are, therefore, rather tenuous.

To revert to the process of educational planning, we have had occasion to mention that sectoral plans in state subjects including plans in education do not finally emerge until state plans have

will be required for devising a set of measures that will improve enrolment and reduce wastage at all levels'. Planning Commission, *Towards Self-Reliance Approach to the Fifth Five Year Plan* (2), 1972, New Delhi, pp. 9-10.

⁴⁶ Government of West Bengal, Development and Planning Department, *Preliminary Memorandum on the Fourth Five Year Plan*, 1965, Calcutta, p. 5.

been broadly considered and agreed upon. Work on the educational component of the five year plan begins with the setting up of the working groups or task forces in education at the centre. This usually takes place about two years in advance of the beginning of the plan. (As an example, the order setting up the groups for the Fifth Plan, was issued on the 11th of February 1972.⁴⁷) The working groups in education are generally large in number and usually relate to the various levels of education and major problem areas.⁴⁸ To cite the Fifth Plan again for illustration, the order referred to above in paranthesis set up some eleven task forces. They were on :

1. Elementary education
2. Secondary education
3. University education
4. Vocational and technical education
5. Adult and out-of-school education
6. Programmes and problems of youth
7. Education and employment
8. Art and culture
9. Language development, book production and libraries.
10. Educational finance
11. Machinery for educational planning and implementation

Each of the working groups also constitutes sub-groups which undertake studies 'in depth' of specific problems like curriculum reorientation, teacher preparation and financing of education. A

47 Order No. 17/5/71-Edu., Education Division, Planning Commission, dated 11th February, 1972

48 In the case of the Fifth Plan, the terms of reference of the groups were :

1. To take stock of the position as is likely to be reached by the end of the Fourth Plan; to identify bottlenecks and to suggest remedial measures.
2. To suggest a perspective of development from 1973-74 to 1988-89 in the light of the over-all development envisaged in the Fourth Plan.
3. To formulate proposals for the Fifth Plan in the light of the perspective indicating priorities, policies and financial costs.

Para 2 of order cited at footnote 47.

Steering Group on Education appointed along with the working groups and including the chairmen of all of them,⁴⁹ 'guides and coordinates' the work of the groups.

We have stated elsewhere that as working groups are got up at the centre, the Planning Commission advises the states also to establish their own working groups. State working groups in education, therefore, come into existence almost on the heels of the working groups at the centre. These groups, like their counterparts in other state sectors, are supposed to keep in touch with the working groups in education at the centre. This they do with varying degrees of efficiency.

To help the states formulate their proposals in education, the Education Division of the Planning Commission, in consultation with the Ministry of Education prepares 'guidelines' which are sent to the states. These guidelines are focused on strategies and programmes, tend to be exhaustive⁵⁰ and do not, naturally, enter into the question of sectoral resources. They also indicate the kind of data-base that should accompany the educational plan of the states.⁵¹

49 As illustration, an analysis of the membership of the Steering Group on Education of the Fifth Plan is interesting. It had twenty members. Of these fourteen were senior officers of the Government of India including three from the Planning Commission. From among the non-officials, one headed a working group—the one on Adult and Out-of-School Education (perhaps because the Directorate of Adult Education in the central Ministry of Education happened to be headed by a junior officer of the level of a Deputy Secretary). The honour went to Dr. Mohan Singh Mehta the President of the Indian Association of Adult Education and a retired vice-chancellor.

50 The text of the guidelines for the Fifth Plan in education runs into 23 foolscap pages of typed material and a six-page summary giving 'Points Needing Emphasis Under Each Sub-head'. There is no educational programme it does not touch upon. (See Letter No. PC(P) 1(5) 1/72, Education Division, Planning Commission, Dated April 21, 1973)

51 In the data-base for the Fifth Plan information on the following was asked for : (i) Enrolment (Level-wise for boys and girls and with participation rates for relevant age-groups ; at the collegiate level, subject-wise enrolment and enrolment in correspondence courses); (ii) Teachers (Number level-wise, sex-wise and at the collegiate level institutions-wise); (iii) Institutions (Number level-wise; teacher training institutions with

The states prepare their 'draft' plans in education according to the guidelines from the centre. When they are received at the Planning Commission, the Education Division of the commission examines them from the point of view of the strategy and priorities suggested by the commission, past performance of the states concerned, special features that may have to be taken into consideration in the case of individual states and the feasibility of the suggested programmes. They are then discussed, along with the comments of the Education Division on them, in working groups set up for this purpose, consisting of representatives of the Planning Commission, the Ministry of Education, the University Grants Commission and the state concerned. The report of the working group for each state is submitted to the Programme Adviser concerned. The latter sets out his own views in a note and sends up the report, along with reports relating to other sectors of the state plan, to the Deputy Chairman of the Planning Commission. A final decision regarding the state plan programmes and the outlay in education, as also in other sectors, are taken in a high level meeting between the Deputy Chairman and the state chief minister assisted by appropriate officers on both sides. The state government revises its educational plan in the light of these decisions.

In the foregoing account, we have not drawn pointed attention to the process of planning in those areas of education for which the centre is constitutionally responsible. This does not mean that there are no problems of centre-state relations here. The Study Team on Centre-State Relationships of the Administrative Reforms Commission had occasion to refer to these problems in other sectors and cite the 'tugs and pulls of the states for locating central public sector industries' as 'a prominent and well-known example' of these problems.⁵² Such 'tugs and pulls' are not entirely unknown in the field of education, though they may not be as clamorous as in prestigious and economically more rewarding

intake and output); (iv) Technical education (Number level-wise; intake and output; details about faculty development programmes); and (v) Progress of expenditure on education in the Fourth Five Year Plan (year-wise and sub-head-wise). (See annexures to letter cited at footnote 50)

52 Report of the Team, *op. cit.*, p. 91

sectors like industry. It is no secret that some states were far from happy about the location of the four Regional Colleges of Education in Rajasthan, Madhya Pradesh, Orissa and Mysore. (That one state in the north, which was offered one of these colleges, declined the offer, only strengthens the point we are making.)

Demands, therefore, have been raised at authoritative quarters for the participation of the states in the planning of the central sector of developmental activities also. The argument that the Rajamannar Committee adduces in support of the demand is interesting and bears reproduction :

...we may point out that the States are as much concerned with the so-called central schemes, as with the State schemes...It is neither desirable nor expedient to exclude the States from participation in them. The schemes are situated within the State and as the scheme progresses in its implementation, the State has to take upon itself certain responsibilities such as acquisition of site, measures regarding public health and more important than any thing else, maintenance of law and order.⁵³

The committee has by no means exhausted the factors that make for problems of federal relations in the planning of the central sector of developmental activities. In the field of education, for example, it is a common complaint in the states that the central schemes located in them exert an unhealthy upward pull on the salary structure of sections of state functionaries. There is also the complaint that, because of the far better reward system operating in the central schemes (in terms of pay scales, opportunities for egress, wider professional recognition, transnational contacts, etc.) they cause a brain drain which leaves the states poorer in talents and professional competence.⁵⁴

53 Government of Tamil Nadu, *Report of the Centre-State Relations Enquiry Committee*, 1971, pp. 107-108

54 This brain drain problem is a fall-out of any large-scale central scheme irrespective of whether it is located in a state or in the capital. The National Council of Educational Research and Training, New Delhi, is a

These problems, serious as they may be, are however neither so difficult nor so far-reaching in their implications for centre-state relations in the federal context of the Indian polity. We have therefore, not focussed attention on them and the planning transactions that give rise to them.

Centre-state relations in planning

The Imperative Need for Federal Consultation : The process of planning in general and planning of education in particular that we have broadly outlined above constitute a series of 'policy-making transactions'. We are not interested here in these transactions *per se*. The federal context demands that these transactions are based on a process of consultation between the centre and the states. It is with this process that we are concerned.

The case for such consultation has been forcibly made out by the Study Team of the Administrative Reforms Commission on Centre-State Relationships and one can do no better than quote the team :

The nation is more than the centre, and indeed very much more than any state and a national endeavour like the five year plans must encompass both the centre and the states calling for a coordinated effort from all of them. It may be that in a national endeavour of this kind the centre becomes the lynch pin, playing of necessity the role of initiator guide, coordinator and watch-dog of the execution of the national will, but the will, if it is to be honestly and earnestly implemented throughout the country, must be national and therefore nationally determined. This asks for a process of consultation with the states in which all the basic issues confronting the nation are given full and frank consideration. Such a process...becomes imperative when we consider that it is at the expense of their jurisdiction that

good example. In the early sixties when the NCERT was established, there was a veritable exodus of educational competence from the states and many states particularly those in the northern region, felt the pinch. With increasing mobility and the 'work force' becoming national in character, the problem is only likely to aggravate.

the plans comprehend development activities falling within the states' sphere. Decisions which imply a discipline on them that the law does not enjoin must...secure the imprint of their acceptance through synergetic collaboration rather than passive acquiescence.⁵⁵

Such 'synergetic collaboration' obviously means dialogue and consultation in (i) the enunciation of the goals of the plan, and its strategy; (ii) the formulation of the plan proper; and (iii) the determination of priorities in different sectors and of priorities with respect to each state plan.

Lack of Consultation at the Valuation Base : The process of consultation between the states and the centre must, thus, begin at the beginning—that is, at the 'stage of identifying the goals, the objectives and the strategy of the plan'. This is when the general approach to the plan under formulation is considered. We have seen that this is done on the basis of studies made on certain macro aspects of the economy and that the latter are undertaken by the Planning Commission at the centre. The point need not be belaboured here that these studies constitute the primary basis of the plan. The assumptions that they make and the framework of perspective development that they postulate determine the final shape of the five year plan and the orientation and dimensions of its sectoral components including the component of education. If substantiation of this claim were needed, it has come from the 'Minhas episode'.

Dr. B.S. Minhas' position in the well-known controversy regarding the Fifth Plan was reflected in the pre-plan policy document *Towards Self-Reliance: Approach to the Fifth Five Year Plan*, of which he was the chief author.⁵⁶ The document made an early and tentative enunciation of the assumptions of the Fifth Plan in the offing and was based on studies in the Planning Commission undertaken

55 *Administrative Reforms Commission, Report of the Study Team on Centre-State Relationships*, 1968, p. 100.

56 It is also reflected in a recent book by him. See B. S. Minhas, *Planning and the Poor*, New Delhi, S. Chand & Co., *passim*.

under the inspiration of Dr. Minhas.⁵⁷ The basic assumption made in *Towards Self-Reliance* was the need for 'social justice' which was given precedence over economic growth. "Economic development during the last two decades", said the document, "has resulted in an all-round increase in per capita income."⁵⁸ It went on to claim that 'the economy now has reached a stage where larger availability of resources makes it possible to launch a direct attack on unemployment, underemployment and poverty and also assure adequate growth.'⁵⁹ Having said that, the document, true to its assumptions and emphases, did not even mention the problems involved in ensuring adequate level of economic growth, but proceeded to dwell at great length on the programmes of 'social justice' laying stress on, as one observer put it, 'welfarism, programmes of virtual dole-giving and creating jobs for the sake of jobs.'⁶⁰

If these assumptions had been worked into the Fifth Plan, this would have meant transfer of more resources from the centre to the states, for programmes making for 'social justice' including programmes in education. In fact, the report of the Sixth Finance Commission, which clearly bears the imprint of Dr. Minhas' thinking sought to find *raison d'être* for its proposals for enlarged financial devolution to the states on the basis of the perspective of 'social justice'. The commission stated: "When the emphasis is on social justice, there is no escape from a realignment[sic] of resources in favour of the States, because services and programmes which are at the core of a more equitable social order come within the purview of the States under the Constitution."⁶¹

57 Dr. Minhas, it is well known, was the most influential member of the Planning Commission during this period. He had the patronage and confidence of Shri C. Subramanyam, Deputy Chairman of the Planning Commission at the time. Both were votaries of what, among economists, is known as the 'new economics'.

58 Government of India, Planning Commission, *Towards Self-Reliance: Approach to the Fifth Plan*, p. 3

59 *Ibid.*

60 Economist, "Clash Between Two Viewpoints". *Mainstream*, January 5, 1974, p. 13

61 Government of India, *Report of the Finance Commission*, 1974, p. 21.

A later document on the Fifth Plan, *Approach to the Fifth Plan 1974-79*, prepared under the stewardship of Shri D.P. Dhar, based again on studies undertaken in the Planning Commission, made different assumptions. The new approach was founded on the understanding that 'social justice' should be woven into the strategy of economic development. *Towards Self-Reliance*, we have seen, had made a rather buoyant assessment of economic development in the country in the past. The new document, however, stated : "One reason for the failure of planning to make a major dent on poverty has been the inadequate rate of growth".⁶² Economic growth, therefore, becomes the main plank of planning under the new dispensation and 'social justice' only to the extent it was consistent with such growth. It is an open secret now that this approach has meant a heavy slashing of allocations originally proposed in the Fifth Five Year Plan for 'social services'. In education, the 'Blue-print' had mooted a plan expenditure of the order of 3,200 crores,⁶³ but the final allocation, according to all available indications, is not likely to be much more than half this figure. The Draft Fifth Plan figure is slightly higher; it is, however, common knowledge in Shastri Bhawan that this figure is only notional and is on the optimistic side.⁶⁴

This digression into the Minhas episode was meant only to show that : (i) The so-called 'technical studies' in the Planning Commission that constitute the first exercise in the process of plan formulation are not 'policy-specific'. Their policy implications depend upon the valuations that are brought to bear on them; and (ii) though these studies may seem remote to the process of

62 Government of India, Planning Commission, *Approach to the Fifth Plan 1974-79*, p. 1

63 Ministry of Education and Social Welfare, Government of India, *Proposals for the Development of Education and Culture in the Fifth Five Year Plan (1974-79)*, p. 113

64 A personal communication (dated 11th November, 1975) from the Joint Director (Education), Education Division, Planning Commission, to the present writer says : "The final allocations approved by the Planning Commission tentatively for the Fifth Plan are Rs. 16782.77 crores for the total plan, and Rs. 1226 crores for education. We have not been able to get the draft proposals of the central ministries"

planning in education, compared to planning in sectors like agriculture and industry, yet, in the final analysis education also is subject to their impact.

A plan, to quote Myrdal, 'is fundamentally a political programme.' 'It has to be produced in terms of the government's valuations'.⁶⁵ These valuations, as we have tried to show, start operating right at the stage of the initial macro-studies conducted by the Planning Commission. In the planning arrangements to-day there seems to be an inadequate recognition of this fact; for, the 'valuational base' of the primary exercises in plan formulation—primary, not only temporally, but also in their significance—is provided entirely by the Planning Commission at the centre. The states play no part here. It may be added in passing that this applies, *mutatis mutandis*, to the 'technical studies' undertaken by the Planning Commission at later stages of plan formulation also.

The Three Formal Linkages : We have seen that initial macro-studies in the Planning Commission lead to the formulation of the 'approach' to the plan. It is only after the 'approach paper' is ready that the formal 'linkages'⁶⁶ between the states and the centre get into operation. These 'linkages' as can be seen from our account of the planning process, are mainly three : the National Development Council (NDC), the central and state working groups and the plan discussions at the centre. The first of these linkages, the National Development Council, is not fashioned, in the main, to operate sectorally. The other two largely operate sectorally ; upon them depend finally the dimensional and directional characteristics of the sectoral plans. More so in a field like education, where plan specifics can not be deduced directly from macro policy decisions.

65 Gunnar Myrdal, *Asian Drama : An Enquiry into the Poverty of Nations* (abridged by Seth S. King), 1974, London, Allen Lane The Penguin Press, p. 363

66 In institution-building models, like the one developed by Milton J. Easman and Hans C. Blaise at the University of Pittsburg, the term 'linkage' is sometimes used in a special sense. It is used in its common connotation here. But, the term in its special sense has values even in the context of our present discussion. For an explication of the term and connected concepts, see P.K.B. Nayar, *Leadership, Bureaucracy and Planning in India*, 1969, New Delhi, Associated Publishing House, pp. 152-157

Our account of the planning process shows that the NDC is consulted several times during the formulation of the plan which is placed before it at certain well-defined stages. The approach paper, the Draft Memorandum and the Draft Outline go before it. Another memorandum is also presented to it at the penultimate stage of plan formulation. The recommendations of the council on all these are incorporated in the final plan.

The NDC is clearly conceived as a federal forum⁶⁷ and is charged with, among other things, the responsibility of guiding the process of formulating the national plan.⁶⁸ There is a widespread complaint that it has not been able to discharge this responsibility adequately, inspite of the plan being placed before and discussed by it at several stages of its formulation. The ARC Study Team on Centre-State Relationships has said :

The degree of consultation has increased with every succeeding plan and so steadily has the influence of the Council. And yet a study of the planning documents and an examination of the planning procedures reveal a paradoxical situation in which, while consultation with the Council on certain basic matters of policy has been inadequate, the attention bestowed on them by the Council when opportunity has visited it has been even more so.⁶⁹

Inadequacy of consultation obviously does not lie in any paucity of occasions for dialogue between the Planning Commission, the central cabinet and the NDC. (During the first ten years of

67 For a brief account of the origin and constitution of the NDC, see H. K. Paranjape, "Centre-State Relations in Planning" in S. N. Jain, *et al.* (Ed.) *The Union and the States*, 1972, Delhi, National, pp. 210-211

68 Government of India Resolution (Cabinet Secretariate), No. 65/15/CF-67, dated October 7, 1967. This resolution redefined the functions of the NDC following acceptance of the recommendations of the ARC in this regard by the government.

69 Administrative Reforms Commission, *Report of the Study Team on Centre-State Relationships*, *op. cit.*, About the increasing influence of the Council there seems to be general agreement. See, for instance, A. H. Hanson, *op. cit.*, p. 61

its existence, the council met eighteen times. The frequency has only increased since then). The inadequacy lies in the body's constricted freedom to choose. As one hypercritical observer has done, one might paraphrase Herbert Spencer and almost say that the NDC could choose as it pleased but it could not please as it chose.

The range of alternative choices placed before the NDC, when the plan is brought before it at the various points of its long gestation, is rarely very large. But, this omission is never so 'tangible' or so obvious as at 'the primary and most important stage of the formulation of goals and objectives, and the adumbration of the strategy of planning.'⁷⁰ The goals, objectives and strategy of the plan, it may be recalled, are enunciated in the Draft Memorandum. These are based on the studies conducted in the commission (some aspects of which we had occasion to discuss earlier), and formulated within the framework of a fifteen-year perspective. Now, requirements of a considered and rational choice would call for making available to the council, when it discusses the memorandum, findings of the studies conducted in the Planning Commission, the policy alternatives indicated by them and the perspective plan within the ambit of which these policies have to be considered. But, this is never done. To quote the Study Team on Centre-State Relationships again :

But, the perspective plan document is never taken up in the Council. The over-all projections are indeed summarily mentioned in the Memorandum but the basis on which they are arrived at is not revealed. Alternatives within a given framework may be discussed and these take the form of readjusting, seldom more than marginally, inter-sectoral priorities and outlays but alternatives to that framework are not presented to the Council.⁷¹

The ARC Study Team speaks of the other side of the picture also—the inadequacy of attention bestowed by the National Development Council on vital matters that are brought before

70 Administrative Reforms Commission, *Report of the Study Team on Centre-State Relationships*, *op. cit.*, p. 103.

71 *Ibid.*

it. This is perhaps inherent in the situation⁷². The council is composed of busy men and, as Gadgil points out, is hardly a deliberative body.⁷³ It has no systematic and streamlined conferencing procedures and cannot have, with state chief ministers sitting on it, prolonged meetings. The usual duration of the council's meetings is two or three days. The agenda is generally long and the issues to be considered important and complex. The effort to compress a long agenda into a two or three-day meeting has led to the wide-spread complaint among the states that the discussions are hustled through, 'rendering any free and frank exchange of views impossible.'⁷⁴ On the other hand, not infrequently, the chief ministers, many of whom come from distant states, bring with them to the capital a wide assortment of other briefs, both official and political, so that they are not able to give their undivided attention to the council.

The 'organisational' part of the meetings of the National Development Council is not calculated to improve matters. The issues that come up before the council are such that they require, in most cases, advance study and thought. But, as the investigations made by the ARC Study Team show, the agenda papers of the meetings of the council are, 'as a rule, circulated so late that it is virtually impossible for chief ministers to go through them with care'.⁷⁴ There have been at least some cases in which the supporting papers of the agenda were circulated in the meeting itself.

The conclusion that emerges is obvious. The National Developmental Council is 'consulted' a number of times during

72 The team has documented its observation which makes interesting reading. In one of its appendices (Appendix 17) it shows how, faced with the gap between expenditure and taxation in the Third Plan and with specific proposals for bridging it, the council tended not to confront the issues squarely and preferred to prevaricate. The national plan was approved without any clearly agreed national policy on the fiscal measures required to underpin it.

73 D. R. Gadgil, *op. cit.*, p. 299

74 See Shriram Maheshwari, "The Centre-State Consultative Machinery in India", *The Indian Journal of Public Administration*, Vol. XVI, No. 3, July-September, 1970, p. 440

74 Report of the Team, *op. cit.*, p. 105. See also Appendix 18.

the formulation of the five year plan. But, the 'consultation,' for various reasons falls far short of being substantive or 'critical.' Indeed, to an outside observer it might often seem that the NDC does not do much more than affix its seal of approval to the labours of the Planning Commission.⁷⁵ The political 'ethos', if one may use that word in this context, of the august body does not quite help matters. But to this and other aspects of the functioning of the NDC, we shall have occasion to revert in the next chapter.

The second 'linkage' between the states and the centre in the process of plan formulation is the central and state working groups. Such groups have been a feature of plan formulation in the country right from the inception of planning, but since the Third Plan they have been employed much more consistently and systematically.⁷⁶ This does not mean that all the states take the working groups equally seriously or operate the device with equal efficiency. Madras has tended to treat them rather contemptuously. Maharashtra, on the other hand, give them considerable importance and has gone to the extent of printing their reports for official circulation. The working groups in education in the

75 One is reminded here of the controversial Dr. Minhas, who is not exactly an 'outside' observer. Writing about the council's meeting on the 8th and 9th of December, 1973, held to consider the Draft Fifth Plan approved by the central cabinet, Dr. Minhas exclaims as if in exasperation: 'How right was the Chief Minister who is reported to have said at this meeting that the economists might differ but 'we always approve the plan.' (B.S. Minhas, *op. cit.*, p. x v.) It is obvious, however, that dissent will ultimately enter the NDC making it, perhaps, a more effective partner in plan formulation. The first instance of such dissent was witnessed towards the end of the last decade when the Draft Fourth Plan was being discussed. E.M.S. Namboodiripad from Kerala and Ajoy Mukerji and Jyoti Basu from West Bengal put forward alternatives to policies for development suggested by the draft. The latter could not, again for the first time in its history, secure the unanimous approval of the NDC. See *Times of India*, New Delhi, April 20 and 21, 1969

76 A. H. Hanson, *op. cit.*, p. 355

latter state, incidentally, has usually shown more sense and greater perspicacity than their counterparts in any other state.⁷⁷

The ARC *Report on Machinery for Planning* has identified several defects in the functioning of the working groups.⁷⁸ They seldom work to the time schedule laid down for them and generally fail in submitting their reports in time. In many cases they do not meet more than a few times.⁷⁹ They do not get adequate technical support and their contact with the Planning Commission at the centre and the planning agencies in the states (such as they are), is neither continuous nor very close. Because of all this, they have 'failed to be as useful as was expected of them.'⁸⁰

These defects are common to both the central and state working groups and they are indeed serious. They in a way belie their name which suggest (and was perhaps intended to suggest) a

77 Comparing the report of the working group in education appointed by Maharashtra for the Third Plan with the reports of the state working groups in other sectors, Hanson says: "Slightly more moderate in its demands, the Education Group nevertheless proposed schemes costing exactly three times the Second Plan outlays; it did, however, produce a sensible and reasoned list of priorities". (*Ibid.*, p. 360) As a footnote to this, one might add that Maharashtra is one of the few states in the country which has taken educational planning seriously and developed considerable expertise in the field. In the mid-sixties, the state prepared an excellent report on educational development in the state from 1950-51 to 1965-66, based on extensive statistical information, with the purpose of providing a comprehensive base for planning for future educational development. The state followed this up, in 1968, with the publication of a White Paper which outlined the broad policies that would direct that development. These were steps that were later to be recommended to all states by the Working Party on Educational Planning, Administration and Evaluation. See Government of India, Planning Commission, *Report of the Working Party on Educational Planning, Administration and Evaluation: Educational Planning, Administration and Evaluation in Fourth Five Year Plan* (1969-74), p. 29

78 *Report, op. cit.*, pp. 13-14

79 Hanson made a case study of the Third Plan working groups of Maharashtra and reached the conclusion: "In general the groups did not meet frequently enough to enable them to do much original or detailed work". A. H. Hanson. *op. cit.*, p. 357

80 Administrative Reforms Commission, *Report on Machinery for Planning, op. cit.*, p. 13

deliberate opting out of the 'committee culture'⁸¹ which inhibited business-like functioning.

Since we are looking at the decision-making process in planning from the federal point of view, in a subject which constitutionally falls within state jurisdiction, we are more interested, immediately, in the working groups at the centre. The federal logic would require that the latter, in their composition and functioning, should reflect the 'collaborative endeavour' that federal planning should be. This is also necessary from the point of view of implementation. 'Even the most expert plan will fail', says Lewis, 'if it is not acceptable. The best way to ensure acceptance is to bring into the formulation of the plan representatives of those who have to carry it out.'⁸²

This was also the thrust of the ARC recommendation in this regard. The ARC said : "The groups dealing with subjects falling in the State List *should also have some specialists* from State Planning Boards and State Governments."⁸³ The commission had earlier observed that there had been very little representation in the groups of experts from the states.⁸⁴

It is, however, obvious that this body had not considered this as anything more than a concession to political propriety, *propter honoris respectum*, as it were. An adequate recognition of the federal logic should have led the commission to make its recommendation on the point import into the working group structure a federal character. The recommendation would have in that case called for a more systematic and more extensive participation by the states in plan formulation at the working group stage than is indicated by the grudging and half-hearted

81 A light-hearted, yet meaningful, neologism from V. V. John, which in more than one way seem to describe aptly the 'work style' of the working groups. See V. V. John, "Bane of Committee Culture : How Educational Reforms are Stifled", *Times of India*, New Delhi, October 8, 1975.

82 W. Arthur Lewis, *Development Planning : The Essentials of Economic Policy*, 1966, London, George Allen and Unwin Ltd., p. 246

83 Administrative Reforms Commission, *Report on Machinery for Planning*, *op. cit.*, p. 14. Emphasis added.

84 *Ibid.*

TABLE 5.1
State representation in task forces/working groups in education—Fifth Five Year Plan

S. No.	Task Force/Working Group	Total Member-ship	Central Govt.	Planning Comm-ission	Out-side Ex-perts & 3	Total State of Govt.	Level of State Representation
			1	2	3	4	HL ML LL
1	Elementary Education	13	4	2	2	8	5 — —
2	Secondary Education	17	5	2	5	12	5 — —
3	University Education	16	6	2	7	15	1 — —
4	Vocational & Technical Education	18	9	2	5	16	2 — —
5	Adult & Out-of-School Education	14	4	2	5	11	3 — —
6	Programmes & Problems of Youth	21	5	2	10	17	4 — —
7	Education & Employment	16	8	2	3	13	3 — —

		1	2	3	4	5			
8	Art and Culture	16	9	2	5	16	0	—	—
9	Language Development, Book Production & Libraries	12	4	3	5	12	0	—	—
10	Educational Finance	14	4	2	6	12	2	2	—
11	Machinery for Educational Planning & Implementation	13	3	1	4	8	5	4	—
	TOTAL	170	61	22	57	140	30	29	—
									1

Note : HL (High Level)=Secretary, Joint Secretary or equivalent; ML (Middle Level)=Deputy Secretary, Under Secretary or equivalent levels; and LL (Low Level)=Levels lower than the above.

phrase 'should also have some specialists'. Particularly so in education and other subjects in the State List.⁸⁵

The ARC recommendation regarding state representation in central working groups dealing with state subjects was not difficult of implementation. The table on the precedings pages which makes an analysis of Fifth Plan working groups in education would serve as an illustration of the extent to and the manner in which this has been done.⁸⁶

The table shows that the 11 task forces had a total of 170 members. Out of these, only 30 were drawn from state governments. In several groups state representation was extremely feeble. In the task force on university education, for example, there was only one state representative. The Planning Commission in constituting this group seems to have almost proceeded on the assumption that education at the tertiary level is a central subject. State representation was only slightly better in several other groups. In two of them (the task forces on art and culture, and language development, book production and libraries) state representation is conspicuous by its absence, though the subjects they dealt with had pronounced regional dimensions and there were specific entries in the State List relating to important aspects of them.⁸⁷ The only gratifying aspect of state representation in the task forces in education for the formulation of the Fifth Plan seems to be its 'level'. Except in one solitary case, where an

85 The States are conscious of the inadequacy of the recommendation of the ARC. A high-ranking official from Kerala, ruled by a coalition government which also includes the Congress, suggested, in the course of a discussion with the author, that at least fifty percent of the members of the working groups in state subjects should be from the states.

86 The table has been tabulated on the basis of information provided in Order No. 17/5/71 Edu., Government of India, Planning Commission (Education Division) dated 11th February 1972.

87 Entries 12 and 33, for example. These entries say: 12. Libraries, museums and other similar institutions controlled or financed by the State; ancient and historical monuments and records other than those declared by or under law made by Parliament to be of national importance. 33. Theatres and dramatic performances; cinemas subject to the provisions of entry 60 of List I; sports, entertainments and amusements.

inspector of schools represented a state government in a task force, the officers who represented the state governments were high ranking. They were usually of the level of a secretary or a joint secretary.

An interesting aspect of state representation in these task forces is their 'scatter'. There seems to be a tendency for representation to 'bunch' so that some states get into several of them while others tend to be completely left out, or get a stray access into one of them. The following table shows the distribution of representation among the states.⁸⁸

TABLE 5.2
Table showing distribution of state representation in
Fifth Plan task forces in education

S. No.	State	Number of task forces represented in
1	Andhra Pradesh	1
2	Assam	—
3	Bihar	3
4	Gujarat	2
5	Haryana	2
6	Himachal Pradesh	—
7	Jammu & Kashmir	—
8	Kerala	3
9	Madhya Pradesh	—
10	Maharashtra	5
11	Manipur	—
12	Meghalaya	—
13	Mysore	1
14	Nagaland	—
15	Orissa	1
16	Punjab	1
17	Rajasthan	2
18	Tamil Nadu	1
19	Tripura	—
20	Uttar Pradesh	1
21	West Bengal	1
Total number of states represented in task forces		13

⁸⁸ Tabulated on the basis of the document cited at footnote 86.

The table shows that a total of only 13 states find representation in the task forces, so that the 'rate of participation,' if one may use that term in the present context, is less than 60. Seven out of these, that is over 50 per cent of the 'participating' states do so only in one task force. But, Maharashtra gets into five which is nearly half the number of task forces. Kerala and Bihar are represented in three, and Gujarat, Haryana and Rajasthan in two each. These six, out of the 21 Indian states existing at the time, thus seem to have been the 'hot favourites' for representation in the task forces. Another fact which is not reflected in the table strengthens this impression. Three of these states not only get into more than one task force, but also, in some cases, have more than one representative in the same task force. Maharashtra, for example, has more than one representative in three task forces.

No packing of task forces is suggested here. But, the six states which have dominated nominations to the Fifth Plan Task Forces are—not excluding Kerala where there has been a marked shift in political postures in recent years in the direction of more positive attitudes towards the centre—known to be usually rather 'pliant' in their outlook regarding central leadership in education. This, in any case, is the prevailing impression in Yojana Bhawan. If there is any truth in this, there seems to be a seeking after of 'assent' and acquiescence in the process of centre-state consultation in plan formulation. The implications of this for a sprawling federal polity like ours with marked social, economic and political differences among the federating units, are too obvious to be dilated upon.

One aspect of the functioning of the central and state working groups which is of great interest from the point of view of centre-state relations in plan formulation is the relationship between them. The ARC has lamented the lack of close contact between them and has said :

A major deficiency in our plan formulation procedures is the inadequate communication between persons engaged in planning work in the states and at the centre. When the work on the Fourth Plan began, it was envisaged that the

working groups at the centre and their counterparts in the states would keep a close touch with each other. This, however, did not come about.⁸⁹

In making this observation the commission had perhaps based itself on lack of evidence of vertical contacts of a *formal* nature between the central and state working groups, for, such contacts are indeed few and far-between, though not entirely non-existent. Hanson's case study of the Third Plan working groups of Maharashtra shows that the working groups of that state concerned with agriculture and animal husbandry had first to submit tentative proposals, through the central Ministry of Food and Agriculture to the central working groups on agriculture, and then revise them in the light of discussions held in New Delhi.⁹⁰ The Third Five Year Plan report of Uttar Pradesh shows that during the formulation of that plan, there was regular 'exchange of views and information' between the state and the central working groups.⁹¹ In many states, the working groups seem to have been actually instructed to draft their proposals for the Third Plan in 'close consultation' with their central counterparts.⁹² There is, however, a tendency, as Hanson has pointed out, to deny the existence of vertical contacts between the central and state working groups.⁹³ It is perhaps this tendency that is reflected in what the ARC says.

Vertical contacts of an informal nature between central and state working groups, however, are very common. Chairmen of state working groups have complained of 'oscillating' between the state capital and New Delhi.⁹⁴ In education itself, those who have had official contacts with the Ministry of Education like the present writer, know that the report of at least one state working group on education for the abortive Fourth Plan was actually drafted in New Delhi. The circumstance under

89 *Report on Machinery for Planning*, p. 14.

90 A.H. Hanson, *op. cit.*, p. 357.

91 See *Report*, p. 14.

92 See A.H. Hanson, *op. cit.*, p. 362.

93 *Ibid.*

94 *Ibid.*

which this transpired is, however, not usual. It happened that planning work in the Ministry of Education at that time was being done under the supervision of a well-known educationist and 'educational planner' who, while working to the Ministry in an honorary capacity, unofficially guided the educational fortunes of the state concerned. The educationist belonged to the state and had won his spurs in education there. Though such 'ghost-writing' of state working group reports at the Ministry of Education in New Delhi is rare, the state working group proposals emanating from there is not so. Whether the source of emanation is the Ministry of Education or the central working group concerned is a question of tweedledum and tweedledee and is immaterial. Gadgil, in his Memorandum on the Approach to the Third Five Year Plan, submitted to the Panel of Economists, Government of India, had occasion to berate the educational authorities at the centre, for handing down plan schemes to the states.⁹⁵ Referring to the problem in general, the ARC Study Team on Centre-State Relationships has said :

The departmental working groups in the states do not quite fulfil the expectation that they will formulate their own schemes to suit local requirements, keeping in view of course, the guidelines provided by the corresponding working groups at the centre. *In practice, they tend to adopt wholesale the schemes suggested by the central working groups.* An examination of the Third Plan of three states, selected at random, shows that in the programmes under "agriculture" 80 to 90% schemes suggested in the central

⁹⁵ See D.R. Gadgil, *op. cit.*, p. 212. In the course of a tour together of Maharashtra, in the latter months of 1970, along with a team of educationists under a programme sponsored by the Asian Institute of Educational Planning and Administration, New Delhi, to which he was then attached, the present writer had occasion to broach the problem with a state Joint Secretary of Education who had later risen to be the Secretary of Education in his state. In the Chestertonian vein typical of him, the Joint Secretary said: "I cannot accuse at least my state of wasting any precious time on the formulation of plan schemes. We import them cheap from the union capital !"

group reports were adopted while "health" and "education" plans were almost totally built upon the centre's thinking.⁹⁶

Nayar, who has made a case study of the process of planning in two states—Andhra Pradesh and Kerala—has detailed the baneful effects on state planning of this 'client relationship' that the state working groups tend to establish with their counterparts at the centre. Schemes are adopted without any consideration of their relevance to the needs and problems of the state and without any feasibility or cost-benefit analysis of them.⁹⁷ The ARC study team we have just cited had itself pointed out some of these deleterious consequences of the open vassalage of state working groups to the centre. But, the final outcome of it all is that it reduces state planning groups, in Hanson's words, to an 'elaborate pantomime'. What makes it more so is the fact that neither the central nor the state working groups are given, at any stage of their work, an indication of the resources likely to be available for plan proposals in their sector.⁹⁸ These groups, therefore, function in a kind of financial vacuum which makes their proposals extremely unrealistic and their work an academic exercise. If decision-makers were, for example, to go by the proposals made by the working groups for the Fifth Plan, 'the plan would have

96 Administrative Reforms Commission, *Report of the Study Team on Centre-State Relationships*, p. 135. Emphasis added.

97 P.K.B. Nayar, *op. cit.*, pp. 91-92.

98 *Report, loc. cit.*

99 Speaking about the resources position, the draft Fourth Plan of West Bengal says: "...The indications from the Planning Commission are no less indeterminate. All that they have said is that the central assistance is not expected to go beyond existing levels and attempt to obtain a clarification has not been successful." See Government of West Bengal, Development and Planning Department, *Draft Fourth Five Year Plan Proposals*, Calcutta, 1968 (mimeographed), pp. 1-11.

The National Seminar on Educational Planning and Administration (held in Srinagar in June 1967) considered this failure of the centre to indicate to the states the resources position early enough in the course of plan formulation 'the greatest difficulty in formulating educational plans'. See Asian Institute of Educational Planning and Administration, *Final Report of the National Seminar on Educational Planning and Administration*, 1967, New Delhi, p. 13

inflated to over Rs. 90,000 crores'.¹⁰⁰ The proposals of the central working groups get 'cut to size' first by the Steering Group, which as we have seen is a committee mainly of senior officers of the Ministry of Education and its autonomous and 'attached' organisations, and finally by the Planning Commission itself. The Steering Group, it may be added, may, unlike the Planning Commission, go about this chopping business with some 'tenderness', for, as Hanson again says :

While the Planning Commission is doing its best to inculcate a feeling of corporate responsibility both as between groups and as between their constituent departments, the central ministries are doing just the opposite. For the struggle over the share-out of the scarce resources in the states is paralleled by a similar struggle in the centre.¹⁰¹

As for the proposals from the state working groups, they are put to the Procrustean bed during plan discussions, the last of the main 'linkages' between the centre and the states in plan formulation that we had set out to examine.

In the case of the quinquennial plans, the purpose of plan discussions is to fit the state plans into the over-all financial and other framework of the national plan. This is not easily done, for, it is usually preceded by a great deal of hard bargaining, though in the final crunch, as Malenbaum has pointed out, the decision is likely to be 'reasonably close to the centre's position'.¹⁰²

Discussions take place in three stages, as has already been indicated in the course of our description of the process of plan

¹⁰⁰ Economist, Editorial, *Mainstream*, January 5, 1974, p. 14.

¹⁰¹ A.H. Hanson, *op. cit.*, p. 361. Paranjape says in the same connection: 'Apart from regional pressures, sectoral pressures tended to inflate the size of State Plans. In subjects like community development, education, health and social welfare, the concerned Central Ministries suggested programmes and schemes to the states which tended to unduly inflate the proposed State outlays in these sectors.' H.K. Paranjape, "Centre-State Relations in Planning", *op. cit.*, p. 51.

¹⁰² Wilfred Malenbaum, "Who Does the Planning?" in R. L. Park and I. Tinker (Ed.), *Leadership and Political Institutions In India*, 1959, Princeton, p. 305

formulation in education. First, there is a general discussion in which the state representatives, headed by the state Chief Secretary and the members of the commission reach a broad 'agreement' on the financial dimensions of the plan and the quantum of central assistance that the state is to receive.¹⁰³ This is followed by detailed discussions of the various aspects and sectors of the state's plan in a series of working groups where, as we have seen, the state's representatives sit together with representatives of the Planning Commission and of the relevant central ministries, usually under the chairmanship of the secretary of the central ministry most immediately concerned. Lastly, there is another general discussion at the highest level between the commission and the state where final decisions are taken. In between, there may be sectorwise or even sub-sectorwise informal meetings between officers of the commission and their counterparts in the state.

According to the present practice, the entire exercise in the case of one state does not take more than three days. Commenting on this aspect of state plan discussions the ARC has said :

The whole process is crammed into three days for each state and two days for each Union Territory, and, is a race against time. Decisions are taken in a great hurry... There is an attempt to cover too wide a ground and in too much of detail... The time and the money spent on the whole exercise are hardly commensurate with the results achieved.¹⁰⁴

Many would contend and perhaps with some justification that this is carping criticism, a small complaint about an unimportant matter. After all, once agreement is reached about the over-all dimensions of a state plan, which is done in the first general meeting, the subsequent operation should generally consist only in

103 In this meeting and the agreement it leads to, the views of the Programme Adviser concerned, who also attends the meeting, have an almost determinative weight.

104 Administrative Reforms Commission, *Report on Machinery for Planning*, op. cit., p. 21. See also Government of India, Planning Commission, *Report of the Working Party on Educational Planning, Administration and Evaluation*, op. cit., p. 8 ; and *Final Report on the National Seminar on Educational Planning and Administration*, op. cit., p. 13.

matching the priorities of the state plan to national priorities. This should not be difficult, if these priorities are not left 'amorphous', as is perhaps the case all too often,¹⁰⁵ and are clearly defined. In any case, there are limitations to the time that the Planning Commission can be held in virtual siege and the activities of the state and central ministries suspended at the top-most ranks.

What is important, at least from the point of view of centre-state relations in planning in general, and in sectoral planning in which we are interested, is not indeed the number of days the centre and the states spend at the conference table during state plan discussions. To accord this undue significance is only yet another instance of the traditional Indian faith in verbalisation. What is of real importance is what transpires in these discussions and that depends to a great deal on the relative strengths and weaknesses of the central and state teams participating in the discussion.

From the point of view of professional competence, the state team, by and large, is rarely a patch on the central team. This is not a phenomenon peculiar to this country; administrative as well as political competence has a tendency to gravitate towards the centre. "The best politicians", says Lewis "tend to go to the central parliament, and the best officials tend to work in the central agencies".¹⁰⁶ In India, where the reward systems at the centre and in the states are so disparate, this is even more true. That this is only an over-view and needs to be modified in the case of individual states (there may be half a dozen such states, at the outside) does not alter the general picture. In most cases, it is two un-

¹⁰⁵ See D. R. Gadgil, "Planning Without A Policy Frame", *Economic and Political Weekly*, Vol. II, Nos. 3, 4 and 5 (Annual Number), February 1967, pp. 253-264. Gadgil contends that the outstanding feature of the 'planned' Indian economy has been the total absence of a policy frame, which basically is a 'system' of priorities.

¹⁰⁶ W. Arthur Lewis, *op. cit.*, p. 253. Having made it to the centre, the central personnel have also greater opportunities of sharpening their conferencing skills through wide centre-state and international contacts,

equal teams that face each other on the conference table during the state plan discussions.¹⁰⁷

The informational repertoire of the two teams also is widely unequal. By the time plan formulation reaches the stage of state plan discussions, the Planning Commission has a great deal of planning data at its disposal. Through its Programme Advisers¹⁰⁸ and through a wide network of other formal and informal contacts, it has followed the progress of planning in the states.¹⁰⁹ In the course of its work on the Draft Outline it has greatly added to its information on the states. It has given considerable thought to their resource position, estimated the availability of central aid and formed a fairly clear idea as to the size and the nature of the plan that each state can reasonably be expected to undertake. The draft plans of the states also have been received at the commission. Its various divisions have carefully looked into the sectoral plans envisaged in them, have prepared well-considered notes on

107 Interestingly enough, the professional competence of a state service, may not always be matched by the political weight of the state government, so that the performance of a state team on the conference table may sometimes become irrelevant to the outcome of plan discussions. Hanson's sympathetic study of the performance of the Tamil Nadu team during the Third Plan discussions is interesting from this point of view. (See A.H. Hanson, *op. cit.*, 366-69). In contrast is the case (reported to the present writer by a high-ranking official of the Education Division of the Planning Commission) of the north Indian state, a next door neighbour to the capital city, which was not able to get its pet scheme of a sports school approved by the working groups during the Fifth Plan discussions. But, in the final meeting, the Chief Minister of the state, who is known to be close to the Prime Minister, had only to broach the question of the school before it was approved.

108 In its letter of Oct 3, 1962 (PCCP) 2/62 the commission said: "The Commission is arranging for its Programme Administration Advisers to visit the states with which they are concerned for preliminary discussions and exchange of views in advance of the discussions on the Annual Plan. On matters requiring special attention, State Planning Secretaries may communicate with the Programme Administration Advisers at an early date". Cited by A.H. Hanson, *op. cit.*, p. 265 n.

109 Almost every state has a liaison office in New Delhi, generally headed by a fairly senior officer. Not one of these offices that the writer contacted could supply him with a copy of the Five Year Plan of the state which it represented. He was able to get several of the state plans in the Planning Commission.

the important aspects of these sectoral plans and have got together and mastered all the relevant facts. Thus, when the state representatives converge on the union capital for plan discussion, the Planning Commission is in a position to accord them an appropriate welcome.

The other side on the conference table is not equally well-equipped. We have already referred to the better professional competencies of the central team. The higher echelons of bureaucracy everywhere, as we have seen, exhibit a high degree of vertical mobility. State bureaucracies in India are no exception to this so that there is always a depletion of competence at the state level. The administrative climate in the states is not generally such that depletion is soon recouped. In comparison to the centre, therefore, the states usually find themselves saddled with a lower level of administrative competence. What is more, this competence, for reasons into which we need not go here,¹¹⁰ is at its lowest ebb in the area of planning. This is what the ARC had in mind when it said :

It need hardly be emphasised that the different units of the State Planning Boards would have to be manned by carefully selected personnel capable of formulating well-coordinated and integrated plans....The existing position in this regard is not satisfactory. There is paucity of persons with specialised knowledge or experience of planning.¹¹¹

Nor do the state teams come to the union capital adequately equipped with planning information. Such information is sadly lacking in the states. One of the three main factors to which 'defective' state planning was ascribed in the interviews conducted by Nayar in connection with his study was 'the lack of statistical data'.¹¹²

110 For some reasons of a general nature, see P.K.B. Nayar, *op. cit.*, pp. 1-3.

111 Administrative Reforms Commission. *Report on the Machinery for Planning*, *op. cit.*, pp. 46-47.

112 P.K.B. Nayar, *op. cit.*, p. 95

The reports of state plan discussions were not available for this study. But, the present writer was informally able to sit through the Fourth Plan discussions of two states. These discussions showed how the states, many a time, found themselves in the wrong box due to being weak on facts. One of these two states had postulated a certain rate of increase in enrolment at the first level of education, and had set up an achievement target in enrolment on that basis. The state had perhaps done this on the basis of a global extrapolation of past trends in enrolment at this level. The Education Division of the Planning Commission had not only made a district-wise study of enrolment trends in the state but also a study of the demographic structure of the districts. It transpired from this study that the backlog of non-enrolment in the state at the first level was concentrated in a few districts where the population had a very large tribal component and where the rate of increase in enrolment had been considerably lower than in the state as a whole. The central team was, therefore, able to show that the enrolment target set up by the state was unrealistic, and the strategy it had evolved for improving the participation rate at the level not articulated to the real problem which was bringing into school the tribal children, some of whom were always on the move. The other state had based its calculations in connection with a project on the basis of a certain pay scale at the relevant level of education. The Planning Commission records showed that this scale was only 'imaginary' and did not exist in the state. The commission was ultimately proved right and the state which was supposed to operate the pay scale had to admit that there had been some mistake, unwitting of course, in calculations! Needless to say, the advantage that the central team gained out of these and other factual *foux pas* was persistently pressed home with telling effect on the final outcome of the discussions.

We have not gone here into the political 'strength' and 'weaknesses' of the state governments and their bearing on plan discussions. That will require a study in itself. We had, however, occasion a little earlier to refer to an instance of political pull in plan discussions.¹¹³ If a state is politically strong, it may be able to get away with a great deal. Both dissent and conformance may

¹¹³ See footnote 107, *ante*

TABLE 5.3

Fourth five year plan (1969-74) : outlay proposed and approved

(Rupees in crores)

S. No.	States	Outlays Proposed by States	Recomm- ended by Working Groups	Recom- mended by Prog- ramme Adviser (PA)	Outlays Approved in the Draft Plan (April 1969)	Col. (6) as % of Col. (3)	Final Outlays On the Basis of Resources (March 1970)	Col. (8) as % of Col. (3)
1	2	3	4	5	6	7	8	9
1.	Andhra Pradesh	660.64	651.17	360.00	360.55	54.5	420.50	64
2.	Assam	394.81	260.17	225.53	225.50	57.1	261.75	66
3.	Bihar	493.74	597.60	441.00	441.61	89.4	531.28	108
4.	Gujarat	565.90	562.58	390.00	450.22	79.5	455.00	80
5.	Haryana	262.00	293.59	190.00	190.49	72.7	225.00	86
6.	Jammu & Kashmir	225.46	184.36	145.00	145.00	64.3	158.40	70
7.	Kerala	466.75	400.21	257.37	258.40	55.3	258.35	55

1	2	3	4	5	6	7	8	9
8.	Madhya Pradesh	552.80	554.34	355.00	355.96	64.3	383.00	69
9.	Maharashtra	1000.22	1030.88	810.97	811.80	81.2	898.12	90
10.	Mysore	440.00	446.15	355.00	327.10	74.3	350.00	80
11.	Nagaland	58.66	42.88	34.00	35.00	59.6	40.00	68
12.	Orissa	321.49	303.22	179.16	180.50	56.1	222.60	69
13.	Punjab	325.00	401.28	250.00	271.40	83.5	293.56	90
14.	Rajasthan	311.00	349.73	236.70	238.96	76.3	302.00	96
15.	Tamil Nadu	623.68	604.82	501.00	502.00	80.5	519.36	83
16.	Uttar Pradesh	1350.00	1235.80	950.00	951.00	70.4	965.00	71
17.	West Bengal	654.74	639.41	324.00	320.51	48.9	322.50	49
TOTAL :		88,708.89	8,558.31	6,004.73	6066.00	69.6	6606.42	76

TABLE 5.4
Outlays proposed and approved
Third Five Year Plan : Tamil Nadu (Rs. in crores)

Head of Development	Proposed By the State	Proposed By Programme Adviser (P.A.)	Recommended By Working Group	Finally Approved
1	2	3	4	5
Agricultural Production	10.34	NA	11.07	10.82
Minor Irrigation	17.00	NA	12.80	12.80
Animal Husbandry	4.95	NA	3.52	3.52
Dairying & Milk Supply	3.81	NA	2.75	2.75
Forests	3.20	NA	2.12	2.12
Soil Conservation	3.83	NA	2.75	2.50
Fisheries	3.62	NA	2.22	2.22
Marketing & Warehousing	2.75	NA	0.25	0.25
Total	49.50	35.48	37.48	36.98
Cooperation	2.54	3.75*	4.71*	4.71*
Community Development	26.00	20.00	20.47	20.47
Total	28.54	23.75	25.18	25.18
Irrigation	40.00	27.00	27.42	27.42
Power	1,18.10	1,00.00	1,00.19	1,00.19
Total	1,58.10	1,27.00	1,27.61	1,27.61

1	2	3	4	5
Large & Medium Industry	10.00	4.00	3.35	3.35
Village & Small Industries	28.17	19.50	20.16	20.16
Total	38.17	23.50	23.51	23.51
Roads	13.77	10.00	11.00	11.00
Tourism	0.40		0.25	0.25
Total	14.17	10.00	11.25	11.25
General Education	35.03	24.00	25.43	25.43
Technical Education	9.17	6.00	6.73	6.43
Health	30.92	20.00	19.00	19.50
Housing & Urban Development	13.56	7.00	7.00	7.00
Welfare of Backward Classes	15.85	4.00	2.76	3.26
Social Welfare	0.84	0.84	0.52	0.52
Labour & Labour Welfare	2.91	1.50	1.33	1.33
Total	1,08.28	63.34	62.77	63.47
Statistics	0.30		0.24	0.24
Publicity	0.56	2.50	0.35	0.35
Aid Local Bodies	0.77	1.20	—	—
Total	1.63	3.70	0.59	0.59
Grand Total	3,98.39	2,86.77	2,88.39	2,88.59

N.A.—Not available * Includes provision for marketing and warehousing.

bring political 'strength'. A state ruled by a well-entrenched party prone to separatist postures, for example, cannot be taken lightly. It can be over-ruled only when the logic both of available resources and accepted national priorities is on the side of the centre. But, at the same time, all dissent may not receive the same treatment. Discrimination in plan allocation on political grounds, as we know, has been a common complaint with state governments led by opposition parties. It will be interesting to test some of these hypotheses through careful case studies. But, this is beyond our scope.

The 'policy-output' of plan discussions is reflected in the total outlays on state plans and their sectoral share-out which indicates the priorities. A comparison of the outlays suggested by the states, the outlays recommended by the working groups and the programme advisers, and those finally approved by the Planning Commission should give some idea of the direction in which the device of plan discussions operates. Table 5.3¹¹⁴ on pages 172 and 173 makes such a comparison with respect to the Fourth Plan.

The table shows that except for Bihar, no state was able to secure the outlay it asked for. In one case the outlay approved was as low as 49% of the outlay the state had proposed. If Bihar is not considered, only one state got more than 90% and five states more than 80% of the outlay their plans had suggested.

Comparable data on sectoral outlays are not readily available. Such data, apart from confirming the general trend reflected in table 5.3, would also have shown the change in state priorities effected through plan discussions. Table 5.4¹¹⁵ which compares the sectoral outlays proposed by Tamil Nadu for its Third Five Year Plan with outlays recommended by the Programme Adviser and the working group, and the outlay approved by the Planning Commission should serve as an illustration.

The state, as the table shows, had asked for a total outlay of Rs. 3,98.39 crores, but it was able to get only 2,88.59 crores.

114 Source : Programme Administration Division, Planning Commission.

115 Taken from A.H. Hanson, *op. cit.*, p. 367 and appropriately modified.

There is, however, no significant change in the priorities of the state. The percentage of cut in the outlay on education is only slightly higher than that in the total outlay proposed by the state. This is unusual, for, the axe when it comes, is generally harsher on education and other items under 'social services'. It must, however, be remembered that Tamil Nadu, for various reasons, some of which must be clear from the foregoing discussion, is not what one might call a 'typical' state. Apart from everything else, the state is, as Hanson has rightly pointed out, one of the 'better-planned' ones in the country.¹¹⁶ Similar data on other states, however, is not easily available.

What then is the position regarding centre-state relations in educational planning in India? The answer, however unpalatable this may be to many students of education, seems to be: the centre is the *fons et origo*, the very fountain and source of that planning¹¹⁷. This is indeed true about all planning in the country. As for planning in the states 'there is little independent thinking exercised in relation to this'¹¹⁸ in them. Many would go to the extent of suggesting that planning has deprived the division of legislative power between the centre and the states of all reality.¹¹⁹

Central influence on planning in education at the state level starts at the very beginning of the process of plan formulation—the

¹¹⁶ A. H. Hanson, *op. cit.*, p. 371

¹¹⁷ Centralisation of educational planning is not peculiar to India. In a survey of nine Asian countries made by the Asian Institute of Educational Planning and Administration, New Delhi, it was found that most of the countries studied had a highly centralised system of educational planning. The countries surveyed, however, are not comparable to India in their political structure, size or socio-cultural plurality. See Veda Prakash, 'Shifting Emphasis in Education from Planning to Plan Implementation', *Educational Planning and Management*, 1972, New Delhi, Asian Institute of Educational Planning and Administration (mimeographed), p. 249.

¹¹⁸ D. R. Gadgil, *op. cit.*, p. 235. Gadgil was referring to his native state.

¹¹⁹ See, for example, Dr. Bimanbehari Majumdar, 'A Study of the Use of Union Power to Influence the State Government', paper presented at the Seminar on Union-State Relations in India (May 18-31, 1969) organised by the Indian Institute of Advanced Study, Simla (Typescript).

working out of the global framework of the ensuing plan. It works towards its stifling end of conformity through the working groups whose schemes are, as Barve put it, often 'doctored'¹²⁰ and through plan discussions where the dices are highly loaded.

It may not be out of place here to add that this centralisation in planning in India is in strange contrast with some other planning countries which ideologically, one would expect, should be more prone to centralisation. Among the East European countries, decentralisation has been firmly established in Yugoslavia. This country, in fact, has been for some time now an ardent champion of decentralisation. Poland, since 1956, has also introduced a large measure of decentralisation in planning and administration. But, the Russian case, in many ways would be the one the most relevant to us. With the developments in the post-Stalin era, Russia to-day has more than a hundred planning regions.¹²¹

120 S. G. Barve, *With Malice Towards None*, 1962, London, p. 210

121 D. R. Gadgil, *op. cit.*, p. 214

CENTRE-STATE CONSULTATIVE MACHINERY IN EDUCATION

The case for consultation

The Administrative Reforms Commission submitted twenty and odd reports to the Government of India. The problems on which the prolific commission reported ranged from the redress of citizens' grievances to the administration of union territories. One problem, however, escaped this wide net except in passing. This problem was what Yehezkal Dror, in his seminal work on policy-making,¹ calls *meta-policy*, that is policy about policy-making. In Dror's model, the last phase of meta-policy making is concerned with the designing of a policy-making structure.² One would expect that this aspect of administration engaged the special attention of a body like the Administrative Reforms Commission holding its marathon deliberations in the context of a nascent federal polity. Its failure to do so reflects the weakness in the usual approach to federalism. Federalism is generally looked upon in the tradition of K. C. Wheare and others, as 'a static design regulated by firm and unalterable rules'.³ The other tradition of viewing federalism as a process and an evolving pattern of changing relationships is still comparatively new and we have yet to be fully initiated into it. This latter approach accords the institutional devices for shaping and 'operationalising' the ever-evolving federal relationships the importance they deserve. Modern students of federalism have, therefore, suggested that studies of centre-state relations in India would be more rewarding

- 1 Yehezkal Dror, *Public Policy-making Re-examined*, 1969, San Francisco, Chandler Publishing Company.
- 2 Dror's *optimum model* consists of three major stages, namely, meta-policy making, policy-making and post-policy making. Each of these stages is sub-divided into several phases.
- 3 Carl J. Friederich, *Trends of Federalism in Theory and Practice*, 1968, London, Pall Mall Press, p. 173

'if they could be oriented increasingly towards federal processes and institution-making in the cooperative functioning of our union.'⁴

Some students of federalism in the process tradition, like Professor Carl J. Friederich, have also argued that there is such a thing as a *federal behaviour*.⁵ In Friederich's conception, federal behaviour is a highly pragmatic kind of political conduct, which understandably avoids doctrinaire rigidity. One essential component of this conduct, it is generally agreed, is consultation between the union and the units in a federal polity and collaborative decision-making.⁶

There is hardly any need to make out a detailed case for this aspect of federal behaviour. Principles of participatory democracy itself should provide it ample justification. There is also the added consideration of political strategy; it is necessary that the mechanics of decision-making in a federal polity should create genuine confidence in the federating units in the objectivity of the decisions taken.⁷ In the Indian context, this consideration receives added weight from the political developments that have taken place in the country since the mid-sixties. As long as a single political party ruled at the centre and practically in all the states, with sporadic exceptions, the political party itself provided a common

4 See D. L. Mazumdar, "A note on Approaches to the Study of Centre-State Relations", in S. N. Jain, *et al.* (Ed.), *The Union and the States*, 1972, Delhi, National, p. 109

5 *Idid.*, p. 175

6 Students of federal politics are not unaware of the problems attending participatory decision-making. In a related academic field, Mansbridge has suggested that these problems are mainly three: the larger time-input per decision; greater emotional intensity of interaction; and, ingrained inequalities of influence based on fortuitous factors like verbal facility, expertise and opportunity to speak and participate (See Jane J. Mansbridge, "Time, Emotion and Inequality: Three Problems of Participatory Groups", *The Journal of Applied Behavioral Science*, Vol. IX, No. 2/3, 1973, pp. 351-368). But, these problems are seen as the necessary price to be paid for such decision-making.

7 D. L. Mazumdar, *loc. cit.*. The founding fathers obviously could not be as sensitive to this necessity as we are to-day. But, Article 263 which envisages an inter-state council shows that they were not unaware of the need for consultation.

'consultative forum' that inspired confidence.⁸ The charismatic personalities of the central leaders of the party only rendered this confidence more unquestioning. This situation has now changed.

In education the need for consultation and cooperative decision-making is much greater. Here the interdependence of the centre and the states is truly 'promotive', if one may use a modish expression.⁹ The centre cannot achieve its goals in education, without the states cooperating and achieving them too. It will, therefore, be an entirely futile exercise for the centre to set up educational goals with which the states do not agree and which on the basis of mutual consultation, the states do not undertake to achieve. The nature of the interdependence of the centre and the states in education thus creates tough problems in educational policy-making.

Experience elsewhere

India, however, is not the only country which faces difficult educational problems, particularly in policy-making at the national level because of the federal nature of its government. Federations the world over face such problems. Attempted solutions, however, vary from country to country. The Federal Republic of Germany, the constitution of which also assigns the responsibility for education to the federating units, has, for example, made some interesting experiments. Of particular importance among them are the conference of the ministers of education of the eleven states, which has a permanent secretariat; the conference of the heads of the universities; and the Scientific Council established in 1957 by a formal agreement between the separate states with each other and the federal government. The latter body is an example of how these institutions function. The Scientific Council has published a series of recommendations and suggestions regarding university education. The reports of the Scientific Council has not always

8 Ram K. Vepa, "Administrative Consultation—Formal and Informal", *The Indian Journal of Public Administration*, Vol. XVI, No. 3, July-September, 1970, p. 419.

9 For a definition of *promotive* and its opposite *constrict* interdependence, see David K. Berlo, *The Process of Communication : An Introduction to Theory and Practice*, 1960, New York, Holt, Rinehart and Winston, p. 144.

pleased everybody; but they have all the same served as a basis for action by separate states. What deserves our attention is that the state legislatures have been ready to respond to the recommendations largely because the Scientific Council was a creation of the governments of the separate states and the federal government.¹⁰

There are indications of similar developments in the United States also. The American constitution visualises what are known as *interstate compacts*, especially in the matter of settling disputes between states. Interstate compacts are agreements voluntarily entered into by two or more states and approved by the Congress.¹¹ The felt need for inter-state consultation has led to the application of this device to education also. The initial step along this road was taken in the 'forties. The Southern Regional Education Compact, formed in 1948, created a board with membership from each of the sixteen participating states. This was followed (in 1951) by the Western Interstate Commission of Higher Education with thirteen states, and the New England Board of Higher Education with six states. Regional cooperation and consultation in the United States through interstate compacts is still admittedly at the experimental stage. The scope of the policy-making and consultative functions of the compacts is also limited. But, if experience so far is any guide, the device possesses a great deal of promise. What is to be noted in our context, however, is how the emerging compulsions in the field of education have set off a search for interstate consultative devices even in a country like the United States of America with such strong traditions of local control in education.

Consultative machinery in India

If it is necessary in older federations to be ever on the look out for accessory institutions to underpin the federal set-up in response to emerging situations in education, it is all the more so in a young federal polity. For, as Staley has rightly pointed out, it is easy to install a piece of social technology, like a civil service

10 James Conant, *Shaping Educational Policy*, 1966 (Indian edition), New Delhi, Atma Ram and Sons, p. 119.

11 Article I, Section 10 of the U. S. constitution requires that all inter-state compacts are approved by the Congress.

or a modern business corporation, or even the latest model in federal government in a backward country, but it will operate poorly, and figuratively, break down if it is not adequately supported by institutional accessories appropriate to the political milieu.¹² It is this that imparts to the Indian 'improvisations' in decision-making and centre-state consultation in education a significance that they may not apparently possess. Upon them depend the very outcome of the federal experiment in education in India.¹³

No apology is, therefore, needed for this brief chapter in which we shall have a quick look at : (i) The National Development Council (NDC); (ii) The Central Advisory Board of Education (CABE); and (iii) The Conference of State Education Ministers.

Centre-state consultative machinery are classified on the basis of several criteria.¹⁴ One obvious basis of such classification is whether they are statutory or not. The inter-state council envisaged in Article 263, for example, is a statutory consultative machinery.¹⁵ The three institutions we intend to discuss here are non-statutory in character and, in that sense, are true improvisations. The fact that one of them (the CABE) dates back to pre-independence days, when federalisation was first initiated, does not make any difference to its innovative nature. All of them have been brought into existence through executive action and cannot therefore be considered solutions that are *modo praescripto*.

- 12 Eugene Staley, *The Future of Underdeveloped Countries*, 1961 (Revised edition), London. Frederick A Praeger, p. 213
- 13 That the stability or the success of a federation is not always a foregone conclusion is shown by the many short-lived federal experiments. Among them can be mentioned the Mali Federation (1959), the Arab Federation of Jordan and Iraq (1958) and the federation of Egypt, Syria and Yeman (1961).
- 14 For one basis of classification, see Shriram Maheshwari, "The Centre-State Consultative Machinery in India", *Indian Journal of Public Administration*, Special Number on Union-State Relations, Vol. XVI, No. 3 July-September, 1970, p. 432.
- 15 Although no inter-state council has been set up yet, the article was expressly invoked in 1952 and 1954 when the Central Council of Health and the Central Council of Local Self-Government were respectively established by the central government to discuss matters relating to health and local government both of which are under the legislative jurisdiction of the states.

A word may be due here regarding the inclusion of the National Development Council in the discussion. It is true that the NDC as a consultative machinery is not specific to education. But apart from the theoretical consideration that the processes and structures specific to a sub-system can not often be fully understood unless in the perspective of the processes and structures of the 'parent' system, we have already seen what an important role deliberations at the NDC and their out-comes play in education.

Thus, the structure, functions and the 'style' (in the sense in which Almond has used that term¹⁶) of this apex consultative body in the country is not entirely without interest to the student of centre-state relations in education in India. It may not be out of place to mention here that the Administrative Reforms Commission has recommended that the Minister of Education at the centre should be a member of the body. The recommendation is only formal recognition of the fact that the NDC does play a part in educational policy-making in the country.¹⁷

It would have been possible to lengthen the small list of institutions we have taken for study here. Before Mr. M. C. Chagla, the then Minister of Education at the centre, embarked upon his 'operation shearing' in 1964 and shed his ministry of about fifty committees and councils, there were functioning at the centre at varying degrees of somnolence many bodies that would have qualified for inclusion in the list.¹⁸ Then there are even now

16 See Gabriel A. Almond, "A Functional Approach to Comparative Politics", introduction to G.A. Almond and J. S. Coleman (Ed.), *The Politics of Developing Areas*, 1960, Princeton, p. 5. The term, which connotes a significant concept in Almond's model of the modern political system, is used by him in the sense of the mode or manner in which a function is performed.

17 See "Digest of Reports", *Indian Journal of Public Administration*, Vol. XVI, No. 2, April-June, 1968, p. 393

18 From the point of view of how these bodies functioned, what Mr. Chagla says of them in his autobiography may be of interest. "Some committees", says the former minister, "had hardly met and there was no progress; others continued to meet without doing any appreciable work. In some cases where a committee had submitted a report, another committee had been appointed to consider the report submitted by the earlier committee"! Mr. Chagla was speaking

conferences like those of the vice-chancellors and the state directors of education. There is also the consultative committee of the member of parliament attached to the Ministry of Education. With a slight widening of the scope, it would have been even possible to include in the list autonomous organisations like the University Grants Commission and the National Council of Educational Research and Training. We have, however, deliberately confined our attention to what in effect is a purposive sample of bodies which are purely consultative in nature and functioning at a fairly high level of policy-making.

i. The National Development Council

The NDC, as we have implied above, is the highest institutional arrangement for centre-state consultation in India. It provides a forum of discussion on all vital matters affecting the centre and the states at the apex of the Indian political structure.

Contrary to common belief, the suggestion for setting up such a body was first made as early as 1946 by the Advisory Planning Board under the chairmanship of Shri K. C. Neogi.¹⁹ Later in 1951, the suggestion was again made by the Planning Commission in the Draft Outline of the First Five Year Plan. While doing so, the commission stated the need for such a body in the following words :

In a country of the size of India where the states have under the constitution full autonomy within their own sphere of duties, it is necessary to have a forum such as the National Development Council at which from time to time the Prime Minister of India and the Chief Ministers of

mainly about committees of an *ad hoc* nature. But his observations, with necessary changes, would have been equally true about some of the standing committees that he got wound up. For a brief descriptive account of the standing committees of a consultative nature attached to the Ministry of Education and still functioning in 1970, see Indian Institute of Public Administration, *The Organisation of the Government of India*, 1971, New Delhi, IIPA, pp. 353-358.

19 S. Nasir Ali, *Theory and Practice of Public Administration*, 1970, Allahabad, P. C. Dwadash Shreni and Co., p. 185.

States can review the working of the Plan and its various aspects.²⁰

The suggestion was accepted by the Government of India and a National Development Council was established by a cabinet resolution on the 6th of August 1952, a little less than two and half years after the creation of the Planning Commission itself. The cabinet resolution defined the original functions of the council. They were :

- i. To review the working of the national plan from time to time;
- ii. To consider important questions of social and economic policy affecting national development; and
- iii. To recommend measures for the achievement of the aims and targets set out in the national plan, including measures to secure the active participation and cooperation of the people, improve the efficiency of the administrative services, ensure the fullest development of the less advanced regions and sections of the community and through sacrifices borne equally by all citizens, build up resources for national development.²¹

As constituted initially the council consisted of the Prime Minister (who was also its chairman), the chief ministers of the states, and the members of the Planning Commission. But its meetings were usually attended by others as well. Central ministers concerned with the items on the agenda usually attended. Chief ministers were often accompanied by one or two other ministers. Sometimes outside experts were also invited to attend particular meetings.²²

The Administrative Reforms Commission in its Interim Report on the Machinery for Planning (submitted in April, 1967) recommended the reconstitution of the NDC to include the Prime Minister, the Deputy Prime Minister, ten ministers of the central

20 *Ibid.*

21 Cited by the Administrative Reforms Commission, *Report of the Study Team on Centre-State Relationships*, Vol. I, pp. 101-2.

22 *Ibid.*, p. 102.

cabinet including, as we have seen, the Minister for Education,²³ the chief ministers of all the states and the members of the Planning Commission. The ARC also recommended a redefinition of the functions of the NDC. The most important change suggested was that the NDC should be specifically required to prescribe guidelines for the formulation of the national plan.

The government accepted these recommendations with some modifications. A resolution incorporating the decision of the government on the recommendations was issued on October 7, 1967. The reconstituted NDC consists of the Prime Minister, all union cabinet ministers (which incidentally has excluded the Minister for Education most of the time in recent years), chief ministers of all the states and the union territories and the members of the Planning Commission. It is also provided that other union and state ministers may be invited, if occasion arises, to participate in the proceedings. The Secretary of the Planning Commission acts as secretary to the council and the Planning Commission itself provides administrative support.

The revised functions of the NDC are :

- i. To prescribe guidelines for the formulation of the national plan, including the assessment of resources for the plan;
- ii. To consider the national plan as formulated by the Planning Commission;
- iii. To consider important questions of social and economic policy affecting national development; and
- iv. To review the working of the plan from time to time and to recommend such measures as are necessary for achieving the aims and targets set out in the national plan, including measures to secure the active participation and cooperation of the people, improve the efficiency of the

23 The other ministers to be members according to the recommendation were the ministers for : (i) Finance (ii) Food and Agriculture (iii) Industrial Development (iv) Commerce (v) Railways (vi) Transport and Shipping (vii) Labour, Employment and Rehabilitation (viii) Home Affairs and (ix) Irrigation and Power. The logic behind the recommendation is obvious.

administrative services, ensure the fullest development of the less advanced regions and sections of the community and, through sacrifices borne equally by all citizens build up resources for national development.²⁴

The composition and functions of the NDC show that it was designed to be the highest forum of federal consultation. Indeed the Planning Commission had mooted the proposal for its establishment to start with only because the need for such a forum was felt. How well then has the institution served the purpose of federal consultation in nation building?

We have already seen in the chapter on centre-state relations in educational planning the major weaknesses in the operation of the council in the matter of plan formulation. The observations we made then apply, *mutatis mutandis*, to the entire functioning of the council. These observations need not be recapitulated here in detail. But briefly, we saw in that chapter how the options put before the council were narrow in range, how the attention given to problems placed before it were inadequate, how the absence of proper conferencing procedures made its work unsatisfactory and how the council met at short notice so that there was no time for members to pre-digest the facts and other material relevant to the issues to be discussed.

The reorganisation of the body has not improved matters. The NDC as it is now constituted is a large body. In the ARC itself, which had recommended the expansion of its membership, anxiety had been expressed about the outcome of the move. Mr. H. V. Kamath, a prominent member of the commission, had in a note of dissent warned that this might make the body too unwieldy. He had, therefore, suggested that, of the central ministers, in addition to the Prime Minister and the Deputy Prime Minister, only ministers for finance, home affairs, agriculture, industry and, irrigation and power should be regular members of the council.

24 H. K. Paranjape. *The Reorganised Planning Commission : A Study of the Implementation of Administrative Reform*, 1970, New Delhi, Indian Institute of Public Administration, pp, 8-9

Indeed, even with its original membership, the council had been widely considered to be too large a body for any effective transaction of business.²⁵ (It was because of this that a standing committee of the council was created as early as 1954²⁶). A practice also had developed, over the years, of inviting to its meetings a large number of central as well as state ministers in addition to the regular members. This only added to the problem.

It was in this background, that the ARC Study Team on the Machinery for Planning presided over by Shri R. R. Morarka had recommended that 'sub-committees of the NDC may be appointed from time to time and specially at the time of formulating a five year plan'²⁷. The study team had also recommended constitution of the counter-parts of these committees at the official level 'so that there is adequate consultation, communication, and therefore mutual understanding and cooperation between the states and the union in all matters pertaining to planning'.²⁸ These recommendations, however, have not been implemented so far. Paranjape explains the difficulty in doing so in the following words :

As regards the recommendation that the device of NDC sub-committees should be more effectively utilized this does not seem to have been possible. When the question of constituting a sub-committee of the NDC for examining the question of the principles and patterns of central assistance was considered by the NDC in May 1968, it seems to have been found impracticable to exclude any chief minister from the sub-committee. The only members of the NDC excluded from the sub-committee were the central cabinet ministers.²⁹

25 *Ibid.*, p. 9

26 This committee consisting of chief ministers of nine states and members of the Planning Commission functioned fairly well during the formulation of the Second Five Year Plan. But, it met only twice subsequently, the last meeting held being in 1963.

27 Administrative Reforms Commission, *Interim Report of the Study Team on the Machinery for Planning*, p. 11

28 *Ibid.*

29 H. K. Paranjape, *op. cit.*, p. 10

When the NDC sub-committees did not materialise, there was no question of constituting their counterparts at the official level. Therefore, the latter committees also did not, as Paranjape puts it, 'develop'.

What Paranjape says about the reason for not implementing the ARC recommendation regarding the setting up of sub-committees of the National Development Council is indeed interesting; it brings out one of the inherent weaknesses of this most important institution of federal consultation and policy-making. This arises from the fact that while the interdependence between the states in the matter of development is 'promotive' in nature in the long run, in the short run it is highly 'contrient'.³⁰ A steel or fertilizer factory gained by one state is a steel or fertilizer factory lost to another. Unfortunately, Indian states, irrespective of their political complexion, seem to be too conscious of the keynesian dictum that in the long run we are all dead. This explains the fact that the states are 'rarely able to present a united front'³¹ in the council. The latter has thus been reduced to a bargaining counter where each state is too anxious to wrest the maximum for itself from the central largesse. When it is not a free-for-all jostling bout between individual states, it is a gang-up between groups of states. An illustration of the latter is provided by the wrangling over the interpretation of 'backwardness' on which depended the quantum of central assistance to the states. In this dispute the states were sharply divided between the 'haves' (Maharashtra, Tamil Nadu, Punjab and Gujrat, mainly) and the 'have-nots'. Ultimately, the 'haves' succeeded in getting their view accepted, much to the chargin of their less fortunate brothers. The point to be noted is that the 'work ethos' of the National Development Council is not one of consultation and dispassionate consideration

30 See footnote at 9, *supra*

31 A. H. Hanson, *The Process of Planning, A Study of India's Five Year Plans (1950-64)*, 1966, London, Oxford University Press, p. 62: One such rare occasion was when all the chief ministers, both Congress and non-Congress, joined hands in demanding an upward revision of the outlays of the states in the Fourth Plan (See Shriram Maheshwari, *op. cit.*, p. 439.)

32 Shriram Maheshwari, *loc. cit.*

of national issues which is its avowed purpose; it is one of wrangling and jockeying for favours.

Another factor of recent origin which may also tend to detract from the effectiveness of the NDC must be mentioned before we conclude. The entry of non-Congress states into the council following the crack in the one-party rule in the country has imported into it a certain element of tension. The technique of 'tension-management' adopted for coping with the situation has been rather unfortunate. The practice has been developed of the Prime Minister meeting groups of chief ministers along with other prominent members of the cabinet 'informally' both before and after the NDC meeting. As a national newspaper has editorially commented, this departure from practice may have a wide significance.³³ Unless care is taken, this may prove to be the thin end of the wedge that may lead to the progressive emasculation of the National Development Council as a federal consultative body.

2. *The Central Advisory Board of Education*

The idea of a Central Advisory Board of Education can be traced back to the Calcutta University Commission (1917-19). Though this commission was directly concerned with the Calcutta University only, it had made recommendations on a wide range of educational matters.³⁴ One such recommendation was that :

The Government of India can perform an invaluable function by defining the general aims of educational policy, by giving advice and assistance to local governments and to

³³ The Times of India, April 17, 1967. E. M. S. Namboodripad, the controversial Chief Minister of the first communist ministry in Kerala has drawn attention to another aspect of the treatment of dissent in the NDC. Speaking about his stand in the council on the Draft Fourth Five Year Plan, 'E.M.S.' says: "As a member of the council then I had the unfortunate duty of pointing out to my colleagues that most of the assumptions on which the draft was based was unrealistic. Mine in fact was the lone vote recorded against the adoption of the draft. It speaks volumes for the manner of functioning prevailing even in the pre-Emergency days that the spokesman of the council in his briefings to the press said that the draft has 'unanimously adopted'..." [In a mimeographed and privately circulated note entitled, "Comments on Dr. K. N. Raj's Paper: 'Growth and Stagnation in Industrial Development (G. L. Mehta Memorial Lecture)'"] Emphasis added.

universities...by coordinating the work of various universities, and by guarding against needless duplication and overlapping in the provision of the more costly forms of education.³⁵

Constitutional development that took place almost simultaneously with the submission by the Calcutta University Commission of its report, made education a provincial and transferred subject which reduced the authority of the central government in education to the minimum.³⁶ The Secretariat Procedure Committee set up to implement the Government of India Act, 1919 (which had brought about these constitutional changes) observed that, in future, the authority of the Government of India in education would be exercised through 'moral persuasion' and that 'in place of giving executive orders, it will or should tend more and more to become a centre of the best information, research and advice.'³⁷ The committee went on to recommend the creation of a central organization with these purposes in view. This was a recommendation also in line with the thinking of the Calcutta University Commission. Consequently, a Central Advisory Board of Education was set up in 1920 under the chairmanship of the Education Commissioner to the Government of India. But, barely had three years passed when the Board was abolished on the recommendation of the Indian Retrenchment Committee (1922-23). The Committee had said :

In view of the essential modification of the position of the Central Government *vis-a-vis* the Provinces under the Reforms Scheme in respect of education and medical administration, which are now transferred subjects over which the Government of India exercise a very limited control we do not consider that there is any justification for the retention of the Educational Commissioner, the Bureau of Education,

34 See for a summary of these, Syed Nurullah and J. P. Naik, *A History of Education in India*, 1951, Bombay, Macmillan, pp. 501-4

35 Ministry of Education, *Central Advisory Board of Education (1935-1960): Silver Jubilee Souvenir*, 1960, New Delhi, p. 1

36 We have briefly dealt with these changes in an earlier chapter. See Chapter II, Historical Perspective : The Evolution of Centre-State Relations in Education (1813-1950)

37 Ministry of Education, *loc. cit.*

or the Central Board, costing about Rs. 1,00,000 or indeed for the continuance of the department as a separate entity.³⁸

But soon doubts about the wisdom of the abolition of the board began to be voiced and as early as 1925, the question of its revival was discussed by the Government of India. The Auxiliary Committee of the Indian Statutory Commission, presided over by Sir Philips Hartog (who, incidentally, was a member of the Calcutta University Commission) went into the role of the Government of India in education at some length in 1928 and very strongly recommended that the Central Advisory Board of Education should be revived as early as possible. Later, the Statutory Commission also endorsed the recommendation. Consequently, the board was revived in 1935.

The functions of the board continue to be the same as were laid down in the Government of India resolution of 1935 reviving it. They are :

- (a) To advise on any educational question referred to it by the Government of India or by any local government.
- (b) To call for information and advice regarding educational developments of special interest and value to India; to examine this information and circulate it with recommendations to the Government of India and to local governments.³⁹

The composition of the board was also laid down in the resolution mentioned above. This part of the resolution has been suitably amended since independence.⁴⁰ The present composition of the board is given in *Annexure 9* appended to the book.

38 Cited by Ministry of Education, *op. cit.*, p. 3

39 Government of India (Education, Health and Lands Department) Resolution No. F. 122-3/35-E, dated the 8th August, 1935. See for extract from the resolution (as amended upto 1972), Ministry of Education and Social Welfare, *The Central Advisory Board of Education : Constitution and Present Composition*, 1972, New Delhi, pp. 5-6

40 For the original composition of the board, see Ministry of Education, *op. cit.*, p. 10.

Though formulated in a different political background, the 'federal' character of the board is evident from its functions. It is also reflected in its composition about which however we shall presently have more to say. Again, paragraph 10 of the 1935 Government of India resolution, which stands in its original form in the amended version, also states specifically :

The Government of India take this opportunity of expressing the deep and abiding interest which they feel in the progress of education. They are hopeful that, by having reconstituted the Central Advisory Board of Education, they will have done at least something towards assisting State Governments in their difficult but important task of developing education in the best interest of the country.⁴¹

With the emergence of a full-fledged federal set-up, the perception of the CABE as an inter-governmental body has only become clearer. In his inaugural address to the thirty-fifth meeting of the board, Prof. V.K.R.V. Rao, then Union Minister for Education, had observed :

In a federal constitution like ours, a body of this character is, I think, extremely important and as far as I am concerned, I propose to give increasing importance to the Central Advisory Board of Education. I am also thinking of setting up a full-time secretariat for the Central Advisory Board so that we can get more concrete advantage of the working of this organisation which is a *centre-state organisation*.⁴²

How effectively has the CABE played the role that has been thus assigned to it?

The composition of the board (see *Annexure 9*) itself brings out one of the important handicaps of the organisation as a centre-state consultative machinery. In 1946, at the time of its twelfth meeting, the board had 36 members.⁴³ Its present strength is

41 Ministry of Education and Social Welfare, *op. cit.*, p. 8.

42 Ministry of Education and Youth Services, *Proceedings of the Thirty Fifth Meeting of the Central Advisory Board of Education* (1971), p. 6. Emphasis added.

43 Ministry of Education, *op. cit.*, pp. 428.429.

There is another aspect to this problem, which, from the federal point of view, is equally disturbing. The putative autonomy of some of these organisations notwithstanding, their heads are all central government officers for all intents and purposes. The organisations have their counter-parts in the states (like the state councils of education, which perform the same functions in the states where they have been established as the NCERT at the centre). If the intention in bringing these organisations into the CAGE was to make available to it more expertise in its deliberations, some of the latter organisations could also have been given representation. If the purpose, on the other hand, was the democratic association of the policy-enforcing agencies with policy-

- 44 See Ministry of Education and Social Welfare, *op. cit.*, pp. 9-17. Only 75 members are listed in this publication. Since this document was published in 1972, another state has joined the Union of India and the number of Nominated members has gone up by four.
- 45 The thirty-fifth meeting of the CABE was attended by some 131 state and central government officers (see Ministry of Education and Youth Services, *op. cit.*, pp. 42-43). The board then had 64 members (See *Ibid.*, pp. 38-41). Six of the members had not attended the meeting (See *Ibid.*, p. 155). Thus, as against 58 members, 131 officials had attended the meeting. The officers, however, do not participate in the proceedings. But, their very large number add to the general atmosphere of a 'mela', as one educator who had been a member of the CABE for some time, once described the meetings of the body.

making, the state agencies, in any case, play an equally important role in the implementation of the policies evolved at the CAGE.⁴⁶

Simultaneous with the influx of the centrally-sponsored organisations into the CAGE, the contingent of members nominated by the central government has also grown in size. This is twenty strong now while it used to be of six members before independence. It is interesting to contrast this increase in the number of nominated members with that of members elected to the CAGE by the parliament. In the old CAGE, there were two members elected by the Legislative Assembly and one by the Council of State. The amended Government of India resolution provides for six members of parliament with two members from the Rajya Sabha and four from the Lok Sabha. Thus, there has not only been a large increase in the membership of the CAGE; this increase has been skewed in favour of the central government. One cannot help the uncomfortable feeling that the federal nature of this consultative device operating in an area of state jurisdiction has been considerably diluted. It may be mentioned here that this dilution has not come about because of any lack of awareness on the part of the central government of the importance of the composition of the CAGE. Central ministers of education have been quick to point out the size of state representation on the board whenever they thought it necessary and convenient. Thus, in 1957, Maulana Azad told the states that the representatives of the state governments had a clear majority on the board and that the decisions of such a body should be speedily and willingly implemented by their governments.⁴⁷

The 'style' of the CAGE is even less calculated to enhance its effectiveness as a deliberative body than its proportions.

To start with the agenda, the Government of India resolution enjoins the responsibility of preparing the same and the explana-

46 Incidentally, one does not quite see how the Commandant of the National Defence Academy qualifies to be an ex-officio member, in case this was the purpose.

47 Maulana Azad was addressing the conference of education ministers held at New Delhi in September, 1957. See Ministry of Education, *Proceedings of the State Education Ministers Conference* (1957), p. 2

tory memoranda that have to accompany it on the 'Secretary of the Government of India, Department of Education, assisted by the Secretary of the Board.' It is, therefore, prepared at the Ministry of Education. Having had the opportunity of observing how this is done in the case of at least two meetings (the thirty-fourth and thirty-fifth held in October, 1968 and May 1970 respectively), the present writer cannot help the disturbing feeling that there is a kind of Gresham's Law operating in the ministry in these matters. Routine work pushes out work of this nature which, therefore, tends to get postponed to the eleventh hour. The agenda and the 'agenda papers' (as the explanatory memoranda are called at the ministry) for the CAGE are, therefore, prepared in a great hurry and sent out a few days before the scheduled meeting.⁴³ There have been repeated complaints in the CAGE about the late receipt of the agenda by the states.⁴⁹ The inevitable consequence of this is that the states are not in a position to make an adequate study of the issues involved in the items on the agenda before they set out for Delhi to participate in the meeting. One suggestion frequently made in this connection has been that the board should have a secretariat of its own. It was in response to this suggestion

48 Fortunately the officer who has been handling this work at the ministry for the last several years is a well-known educationist about whom it is often said that the facts he does not know about Indian education are not worth knowing and that he has them all at his finger tips. His style of work is not typical, but the spirit is the same whether it is he or somebody else. A couple of weeks or sometimes even less before the meeting of the CAGE when it is already too late for the agenda, he retains half a dozen stenographers and then goes at his marathon dictation which has become a by word in the ministry. The stenographers work in relay and the whole team, including the inevitable peons, work into the small hours of the night for as many days as it is necessary so that the work that should have normally taken the coordinated efforts of several officers for weeks would be done within a matter of days. One benign fall-out of this of course was a not inconsiderable and extremely welcome addition to the income of the stenographers and peons out of 'overtime'.

49 For example, in the course of a reference to some of the inadequacies of the CAGE, the Education Minister of Maharashtra said in the thirty-fifth meeting: "Even the agenda of the meetings and the notes which are prepared for the meetings are supplied to the states very late". (Ministry of Education and Youth Services, *op. cit.*, pp. 15-16)

that Prof. V.K.R.V. Rao, the then Union Minister for Education, declared in 1970 in his inaugural address to the thirty-fifth meeting that he intended to set up a full-time secretariat for the board.⁵⁰ The board was so grateful for this assurance that it went out of its way to pass a resolution welcoming it.⁵¹ Incidentally, the plaudits notwithstanding, the CABE continues to function to this day without a secretariat of its own.

The board also is a victim (if one may put it that way) of a contradiction inherent in its nature. If the decisions of the board are to command respect and acceptance, it has necessarily to be of ministerial level. But, the price it has to pay for its high-level membership is that its meetings cannot be very long. It has now almost become a tradition that the CABE does not meet for more than two days. (During the period under study only twice did the board meet for more than this. On these two occasions, it met for three days). One solution to this pressure on time obviously would be more business-like conferencing procedures. But unfortunately the meetings of the board suffer from the usual annual-day syndrome. They open with a welcome speech followed by an inaugural address and end with a vote of thanks. In between, there are addresses thrown in, for good measure, by sundry dignitaries. The thirty-sixth session of the board (1972), for example was addressed by Prof. S. Chakravarti, Member, Planning Commission and by Shri I. K. Gujral, Minister of State for Information and Broadcasting, the latter presumably because the session was to consider the Fifth Five Year Plan proposals which also envisaged the use of mass media in part-time and non-formal education. The next session held in 1974 was addressed by no less than four dignitaries including the Vice-Chairman of the University Grants Commission. And, it is not as if the board has only limited business to transact. The agenda is invariably long. The thirty-fifth meeting, for example, had nearly forty items on the agenda. The number of items for consideration in the thirty-sixth session was not large in number, but it had under discussion the Fifth Five Year Plan proposals, and four major reports by important *ad hoc*

⁵⁰ See quotation cited at footnote 42, *Supra*

⁵¹ For the resolution, see Ministry of Education and Youth Services, *op. cit.*, p. 35

committees of the board. All this business has to be transacted within the time left after the rituals. The result is that there is hardly any time left for discussion and the discussion that does take place is seldom anything but perfunctory. Complaint about this aspect of the functioning of the CAGE is also persistent. Thus, Prof. Nurul Hasan, the present Union Minister of State for Education and then a member of the CAGE, had cryptically prefaced his intervention in the general discussion of the thirty-fifth session of the board as follows :

I would like to start my comments with one suggestion. In future the programme of the CAGE may be organised in a manner that each member is given at least ten to twelve minutes to speak.⁵²

Added to these inadequacies in the make-up and functioning of the CAGE is the fact that, with the emergence of planning, decision-making has shifted elsewhere. All the vital decisions in education are now taken in the Planning Commission and, in their broadest aspects, in the National Development Council. They come before the board, only when they have been irrevocably finalised. Strangely enough the confirmation of this came from the Union Minister of Education himself when he said in the course of his inaugural address to the thirty-fifth session (1970) of the board :

This meeting should have been held last winter and it was originally planned to hold it in 1969. But, *I was advised that it would be better to wait till the Fourth Five Year Plan was finalised.* The National Development Council gave its approval to the Plan towards the end of March 1970 and there after I took the earliest opportunity to convene this meeting.⁵³

The only occasion when the CAGE tried to steal the initiative in planning from the Planning Commission was in 1972. The Fifth Plan was still on the anvil at the commission when the board decided to discuss a highly ambitious set of plan proposals

52 Ministry of Education and Youth Services, *op. cit.*, p. 26

53 *Ibid.*, p. 5

in education involving a total outlay of 3200 crores, in its thirty-sixth session.⁵⁴ The proposals were supported by a huge publicity build-up. When the educational world exulted at the generosity of the proposals (which came to be known as the Fifth Plan 'Blue-print' in education), the Planning Commission sulked; but the latter held their peace in the firm knowledge that the final word lay with them. When the final word did come, it was almost an anticlimax, for, the plan outlay proposed in the 'Blue-print' had been severely cut. All that the CAFE could do was to pass a resolution the meekness of which makes it interesting reading :

The Board recognises that, in the severe economic crisis through which the country is passing at present, education like other sectors, will have to bear its share of economy cuts. The Board would, however, like to draw the attention of (the) government to the close link between education and socio-economic progress and point out that the disproportionately severe cuts now imposed on education will ultimately harm the long-term interests of the nation.⁵⁵

This marginality of the CAFE to the decision-making process in education has perhaps now come to be at least tacitly recognised at many quarters. The Education Commission (1964-66) is one example. The commission has never been accused of stinting on words. But, all its skill in periphrasis seems to have dried up when it came to the CAFE which has been given short shrift in a brief paragraph in its chapter on educational planning and administration.⁵⁶ It is, therefore, not surprising that the states have sometimes suggested the winding up of the board.⁵⁷

54 See Ministry of Education and Social Welfare, *Central Advisory Board of Education : 36th Session*, pp. 61-119

55 Ministry of Education and Social Welfare, *Central Advisory Board of Education : 37th Session*, p. 42

56 See Ministry of Education, *Report of the Education Commission (1964-66) : Education and National Development*, p. 455

57 In the thirty-fifth meeting of the board, for example, the Maharashtra Minister for Education referred to his own earlier suggestion to this effect. See *Proceedings of the Thirty-fifth Meeting of the Central Advisory Board of Education*, op. cit., p. 15

3. *The Conference of State Education Ministers*

Since independence a network of ministerial conferences have been called into existence by the central government. They act as institutionalised channels of consultation between the centre and the states and are, therefore, more numerous in areas legislative jurisdiction over which are assigned to the states by the constitution. Their number has steadily increased and to-day, as one student of centre-state consultative machinery has, rather sardonically put it, 'there is hardly any central counterpart of a state department which keeps itself deprived of the honour of convening a conference'⁵⁸. The Administrative Reforms Commission has considered the device important enough to give attention to the functioning of four of them—the conferences of the state ministers of finance, food and labour, and the chief ministers' conference⁵⁹.

The Education Ministers' Conference had its beginning in 1949. In January that year, the CAGE in its meeting held at Allahabad had adopted a scheme of social education on the basis of the report of an *ad hoc* committee appointed by the board for the purpose of evolving such a scheme. It was proposed to call a meeting of the state ministers for education with a view to consider the nation-wide implementation of the scheme. The first ministerial conference in education was thus called in February 1949. This meeting, however, is not considered a part of the regular series. In 1949 itself, in the month of August, another conference was convened by Maulana Abul Kalam Azad mainly for the purpose of discussing the medium of instruction in schools and, interestingly enough, the problem of juvenile delinquency. This is now considered as the first in the series of State Education Ministers' Conferences.

Being an *ad hoc* conference, it is called at the will of the Union Minister for Education. Thus between 1949 and 1974 there had been only thirteen conferences. The biggest gap between

58 Shriram Maheswari, *op. cit.*, p. 433.

59 See Administrative Reforms Commission, *Report of the Study Team on Centre-State Relationships*, pp. 296-300

conferences took place between the first and the second; the second conference was convened only in 1956, after a gap of five years.

Since the initiative in convening the conference lies with the Union Minister for Education, the items for discussion are also suggested by the centre. In the matter of the notification of the meeting, and the dispatch of the agenda and the related memoranda, the conference fares no better than the CABE. Notice of the meeting is given ten to twenty days in advance. The explanatory memoranda of the agenda are, however, issued very late. They are often sent to the states piecemeal. Equally often they are issued not more than a couple of days before the date of the conference. Occasions are also not rare when the memoranda are distributed to the ministers in the conference itself.⁶⁰ Unlike its counterpart in the Federal Republic of Germany, the Conference of State Ministers for Education in India has no secretariat of its own.

In conferencing practices the Conference of State Ministers for Education is of a piece with the CABE. The conference also is in session for two days. The ritual of different genres of addresses by various dignitaries takes its toll of valuable time. The discussions, therefore, are usually hurried and perfunctory.

But, the greatest failing of the Conference of the State Ministers for Education is that its boundary with the CABE is rather indistinct. The proceedings, particularly those of the earlier conferences, give one the impression that they only reiterated the decisions already taken at the CABE. Indeed, if this latter body had not of late shown signs of bulging out at the wrong places, it would be really difficult to find a *raison d'être* for the conference.

⁶⁰ Delay in the dispatch of the agenda seems to be an endemic failing with all ministerial conferences. Maheshwari found the failing in relation to several conferences. (See Shriram Maheshwari, *op. cit.*, p. 445). The Administrative Reforms Commission found the Finance Ministers' Conference no better. (See Administrative Reforms Commission, *op. cit.*, p. 298)

This all too brief account of the centre-state consultative machinery in education shows that the existing system calls for substantial streamlining. It would appear that fundamental issues relating to centre-state consultation in education have never been consciously posed and systematically tackled. *Ad hocism* seems to have been the reigning principle here, as in much else that this country has been doing since independence.

CONCLUSION : RETROSPECT AND PROSPECT

In the preceding chapters, we sought to focus attention on some selected areas of centre-state relations in education. In doing so, we looked over the first quarter of a century or so of the period of planning in the country and tried to delineate, broadly though, the relations between the central government and the governments in the states in the field of education, particularly in educational finance and planning, as they had developed during these formative years, and as they stood at the turn of the present decade. Problems that had arisen in these relations were generally indicated and also the solutions sought.

This has been an endeavour that can be likened to the aerial survey of a site on which is to be founded a great city of the future. This exercise helps in identifying the general setting and the broad land marks, but it is obviously inadequate for starting the massive work of construction. We had, however, set ourselves a limited task.

In retrospect

It may not be inappropriate at this stage to back and recapitulate some of the more important among our findings. This may help in putting these findings in perspective which is one of the tasks we shall attempt in this concluding chapter. This is done in the belief that a proper perspective is the first requirement of any search for a viable solution to the problem of centre-state relations in education.

Our first two chapters, it may be recalled, were devoted to preliminaries. In the first, we attempted a profile of the study in terms, mainly, of its objectives, its method and sources. The second chapter constituted a kind of 'story so far' and sought to trace, all too briefly perhaps, the development of the relations between the Government of India and the provincial governments

in the field of education during the *raj*, in the general background of some of the political and other compulsions operating at the time.

In the third chapter, with which the substantive part of the study started, a short survey was made of emergence of the federal ideal in India, the national compulsions that worked inexorably towards this ideal and the proximate political forces that conditioned the final shape that the federal idea took. With this as the background, we took a quick look at the three legislative lists of the constitution, their comparative size and content, and then examined in some detail the constitutional provisions regarding education. We also saw the prevailing judicial view of these provisions. A brief survey of educational arrangements in some other federal constitutions was also attempted so that it provided a comparative perspective. We then came to the conclusion that the *but*s in the major constitutional provisions regarding education were such that they almost seemed to take away with one hand what was given with the other. They lent themselves to interpretations that gave the centre large powers in education. Even in their barest meaning, they invested the central government with more authority in education than the constitutions of the United States, Canada or Australia.

The fourth chapter dealt with centre-state financial relations in education. We started our discussion with a brief reference to some of the problems that a federal polity faced in ordering its internal financial relations. Some of the older federations it was seen, had tried to solve these problems by leaving taxation largely a concurrent subject. India had the experience of these nations to go by while formulating her own constitutional arrangements in centre-state financial relations. She consequently decided, it was seen, to keep the taxing powers of the centre and the states separate and mutually exclusive.

A close look at the division of revenue between the Union and the States however, showed that this separation was more apparent than real. For the purposes of the public finance of the states, the two revenues really 'coalesced'. Thus the assumption behind the division of revenues in the constitution really

was that India was a single interdependent economic unit. The financial autonomy of the states were, therefore, made subject to the over-riding considerations of national economic needs. The assignment of the more elastic sources of revenue to the centre was perhaps a corollary of this.

Under the financial regime built up on this assumption, it was seen, the gap between the fiscal needs of the states and their financial resources tended to increase. For, growth generated a disproportionate demand for social services which largely were the responsibility of the states. Governmental expenditure at the state level, therefore, had tended to grow at an increasing rate. This had necessitated large scale transfer of resources from the centre to the states.

This transfer of resources had not proceeded on the lines envisaged in the constitution. It had been assumed in the constitution that such transfers would be statutory in nature, mostly made through the instrument of the Finance Commission, more as a matter of right than of grace. But, the advent of planning and the Planning Commission had belied this assumption. Discretionary transfer of resources made through the Planning Commission now over-shadowed transfers made through the Finance Commission. Planning had thus changed the economic, fiscal and also political context of the country. The financial needs of the states in a way had become the political opportunity of the centre.

In education itself, our study showed, the financial needs of the states were particularly pressing, mainly because of the yearly accretion to the committed expenditure in education. The returns from education were not such that they could be directly ploughed back to meet even part of this expenditure. The result was that the states had increasingly come to depend upon the centre financially for almost all development in education.

Two kinds of schemes, we saw, formed the basis of central subvention to educational development in the states, namely, the centrally sponsored schemes and the centrally assisted schemes. The centrally sponsored schemes formed a part of the central plan and were sanctioned by the

centre with details of their administration laid down. The centrally assisted schemes belonged to the educational plan of the state concerned, but were entitled to central assistance. We saw that the way these two schemes were operated had reduced education, during the early stages of planning, to almost a central subject.

Protests from the states and difficulties in plan implementation led to modifications in the operation of the centrally sponsored and centrally assisted schemes. The centrally sponsored schemes were, as a result, considerably reduced in number. It was also stipulated that these schemes should conform to certain criteria laid down for the purpose. The centrally assisted schemes also underwent considerable change. They did not now carry patterned assistance or matching conditions. Assistance was given through block grants and loans for the state plan as a whole. Adherence to national priorities sought to be ensured through the earmarking of assistance to certain crucial programmes.

These adjustments, we saw, had considerably changed the situation. However, the vitiation by the centre of the judgement of the states in education had not been completely eliminated, mainly for two reasons. Firstly, the total central assistance to a state was still calculated on the basis of aid-carrying schemes. Since the states found it difficult to curb the compulsions for netting in as much aid as possible, there was a generous overlay of such schemes in state plans in education, often to the exclusion of schemes that deserved priority in the plan from the point of view of the needs of the state. The second reason pertained to the centrally sponsored schemes. These schemes brought the states resources above and over their approved plan outlays. The states, on their part, were under constant and, often irresistible populist pressure for ever-increasing developmental activity, particularly in areas like education. The nature of such activity and its relevance to the needs of the states were of secondary importance as long as it could be shown that it was something new. The states were, therefore, not too keen to look at the gift horses of centrally sponsored schemes in the mouth. The result often was some dysfunctional addition to the educational activities of the state

concerned and ultimately to its committed expenditure on education.

Our next chapter was devoted to centre-state relations in educational planning. The discussion inevitably started with a reference to the constitutional provisions regarding planning and its wide implications, in the context of the division of legislative powers in the constitution. The main problem of centre-state relations in educational planning was seen to be that of evolving a *modus vivendi* in inter-governmental operations in the development of education. We then proceeded to give a descriptive account of the process of quinquennial and annual planning, and of the process of planning in education, for, the essence of centre-state relations in educational planning had to be, as it were, strained out of this process. Looking at this process from the point of view of the inter-governmental relations forged between the centre and the states, we found that broad decisions regarding the basic assumptions and the orientation of the plan made at its initial stages were taken almost arbitrarily by the central government without any consultation with the states and these decisions, by their very nature, had a determinative weight on the shape that the plans, including their educational components, finally took. We then examined in some detail the linkages between the centre and the states in decision-making during the subsequent stages of plan formulation. It was found that the National Development Council, the federal body at the apex for decision-making in planning and matters of development, was consulted frequently during the formulation of the plans, but its impact on planning was far from being decisive. The factors responsible for this included not only those related to the way the machinery of the NDC was used in decision-making, but also those connected with the way the NDC itself made use of the opportunities it was given for intervention in the decisional process. The device of the working groups, another centre-state linkage, was found to fare no better. The central working groups in education did not adequately reflect the fact that the latter was a state subject. Indeed, in some areas, the assumption behind the composition of the working groups would seem to be the opposite. The state working groups in education, except in rare cases, behaved as if they were bound

hand and foot and exercised little independence in their work. To top it all, both the central and the state working groups worked in a financial vacuum so that their exercise lacked the elementary realism born of an awareness of the constraints of resource. We finally turned our attention to plan discussions, the last of the formal linkages between the centre and the states in plan formulation. Here also our finding conformed to the pattern we had seen so far. The dice in these discussions were heavily loaded against the states. The policy outputs of the discussions showed that the final decisions were, more often than not, closer to the position of the centre than the states. Thus the conclusion that in educational planning the centre and the states were, as things now stood, yoked in a very unequal partnership seemed to be unavoidable. The former almost ruled the roost in this vital area.

The last chapter of the substantive portion of the study was brief and was concerned with the centre-state consultative machinery in education. Such a machinery, we argued, was important because consultation was a vital component of what had sometimes been designated as 'federal behaviour', and the very success of the federal principle in an area like education was contingent upon the effectiveness of this machinery. As one measure of this importance, we made a reference to the search for consultative devices in education in federal polities like the Federal Republic of Germany and the United States of America.

We chose a sample of three consultative bodies for examination, namely, the National Development Council (NDC), the Central Advisory Board of Education (CABE) and the Conference of State Education Ministers. We portrayed each of them in terms of their composition and functioning and sought to make a broad assessment of their effectiveness as centre-state consultative devices. In the case of the NDC, we had already had some discussion in another chapter. Our enquiry in the present chapter only confirmed our earlier findings. We saw that the general climate of its sessions and its style of functioning did not greatly contribute to its effectiveness. The short-run 'malaggregation' in the interest of the states, and the strategy sometimes adopted by the centre for managing the sporadic and still inchoate dissent in

the council only strengthened these inhibiting factors. We reached similar conclusions with regard to the CABE also. In the case of the latter body, there was the added factor of the serious dilution in its federal character brought on by the post-independence acquisitions to its membership. As for the Conference of State Ministers of Education, it had still to gain an organisational character. The Minister of Education at the centre was both *de facto* secretary and chairman of the conference. It was, therefore, so buckled on to his person that one could call it a federal organisation only with some exaggeration. In any case, the conference had yet to resolve its identity conflict with the CABE. Our discussion on the consultative machinery in education, therefore, showed that the Indian federal polity had not yet given any serious thought to the problem of evolving a 'meta-policy', a policy about policy making, in the vital field of education.

The conclusion

What then is the nature of centre-state relations in education during this period? To attempt to compress a number of diverse findings on several aspects of a large problem into a single statement is a risky exercise. But, if one were to take that risk, it will not be much beside the mark to say that there has been a considerable concentration of educational authority at the centre, and that this concentration would seem to be of a degree that makes education almost a concurrent subject, with initiative and influence in policy-making mostly lying with the government at the centre.

Though we have not paid any concerted attention to the political power structure between the centre and the states in this study, it would also seem that changes in inter-governmental power structure have been largely tangential to the shift in educational authority. These changes (like the changes that followed the 1967 general elections) had very little impact on the convergence of educational power at the centre or, the impact has been purely of a derivative nature. There may be two reasons for this. Firstly, education has still not become an 'issue area' in Indian politics. This may have something to do with the present stage of our educational development. The immediate developmental need of

Indian education is the building up of a viable infra-structure. With this task all national parties seem to agree, at least at the level of profession. It is because of this that non-Congress state governments, which are usually under strong political compulsions to adopt an anti-centre posture, have never projected a dissentient educational plank. Even sub-national aspirations, which most regional parties represent, do not seem to bear evidence of an educational dimension except in the matter of language, which of course is a problem that transcends education. Secondly, the concentration of educational authority at the centre has come about mainly through the humdrum process of satisfying the adaptive pre-requisite of resource allocation and planning. Political factors like one-party rule or the charismatic political leadership at the centre may have helped or even accelerated the centralising tendency, but they do not seem to have been the 'conduits' of centralisation in education. The result is that if shifts in the political power structure between the centre and states have to be effectively reflected in centre-state relations in education, the resource allocation and planning processes have to be 'carriers' of these shifts. But, these processes, adjustments and modifications in procedures notwithstanding, have essentially remained the same. The marginality of the centre-state political power structure to federal relations in education, however, does not come out of this study as anything more than a plausible hypothesis. Confirmation will have to wait future studies in this direction.

The perspective

How do we view this denouement of the quarter of a century of the operation of the Indian constitution? This question is important, for, upon an answer to the question would depend one's assessment of the problem of centre-state relations in education and any suggestions one may like to offer in the exploration of a solution.

One way of looking at the centralisation of power in education is to consider it as a 'defilement' of the constitution by the bureaucrat and the politician. If the former were less arrogant and the latter less ignorant (so would run the argument of those who subscribe to this view) the operation of the constitutional provi-

sions regarding education, which were the best possible under the circumstances, would have had a different outcome. This approach harbours two unacceptable assumptions. Firstly, that the constitutional provisions regarding education are something frozen or eternally stabilized and are sacrosanct. Secondly, that these provisions are capable of regulating in every detail the political behaviour and factual operations of groups of people and levels of government. The first assumption lacks historicity and betrays political naivete. The second, as we have seen elsewhere is a fallacy, the 'formalistic fallacy' in legal and constitutional thinking.

There is also another and perhaps a more acceptable way of looking at the phenomenon of centralisation in education. This approach is perhaps best explained in the systems terminology. Here, education is conceived of as an *integral system*, and centre-state relations as its *control sub-system*. The control sub-system, like all systems, functions and develops within a certain range, limited by two critical points: a point below which the system collapses and one at which it achieves its maximum. In the present case, complete autonomy to the states would represent the first point and abject subordination of the states to the centre, the second. At the first point, the Indian federation would be nothing more than a conglomeration of autonomous state satrapies with a completely dismembered educational system; and, at the second, at which its achievements might be maximal, at least in the short-run, it would be a federation only in name, but a unitary government in fact, despotically ruled from the centre. Extending the model further, the *phase* of the control sub-system between the two critical points determines the nature of centre-state relations at any given point of time. This phase in its turn is determined by the *environment* within which the educational system and its control sub-system operate. The totality of the other sub-systems of society (economic, political and social) constitutes the environment.

There is indeed a deterministic ring in the latter part of the foregoing analysis. This needs clarification, for, if it is implied that centre-state relations are mechanically determined by blind social forces, then, there is nothing that we can do about these except

stoically accepting them. This, however, is not the position. Social systems are not passive in their interaction with the environment. They adapt themselves to the environment, approaching it selectively and maintaining its integrity under varying environmental conditions. In fact, such adaptation and selective handling of environmental stimuli aimed at system-maintenance are major functions of control sub-systems. Thus, external environments are significant, but their significance should not be treated as an absolute. They do not *determine* the systems upon which they act in the mechanistic Laplacian sense of the term.

We do not propose to attempt a historical validation of the model here. But, it may be pointed out that the present is an epoch, as Hales has put it, in which educational sovereignty is generally on the move. The factors responsible for this in older federations have been industrialisation and the vast changes that followed at its heel like the growth of modern methods of transportation and communication, the concentration of economic activities into corporate units, the rise of pressure groups national in character and the emergence of a national 'work force'. These changes in the environment of education got transmitted into education, making education and the management of education a national concern. In other words, a redistribution of control in education occurred when interdependence and integration became sufficiently pronounced to create and expose educational problems transcending the bounds of the local or regional community.

Thus the Indian experience of centralisation in education cannot be said to be anything unique. It is almost a universal phenomenon. If it has any novelty, it might be in the sequence of events. In the older federations, industrialisation and the attendant changes were antecedent to centralisation. In India, however, concentration of educational authority at the centre has preceded or is concurrent with the changes that would have in any case brought about a redistribution of control in education. But, this is of a piece with the other well-known instances of the reversal of temporal sequences in history by the new nations of the world. The explanation lies in the fact that in their effort to telescope development in order to catch up with the advanced nations, these nations are obliged to resort to induced change and

planning which have far-reaching implications for the distribution of power in a political community.

This digression into social dynamics and history was made only to put the problem of centre-state relations in perspective. It is easy to proclaim that this problem lies in the overstepping by the centre of its constitutional brief. This assessment of the problem has the merit of simplicity, but it is unsatisfactory on two counts. Firstly, it fails to raise the more pertinent question of why this constitutional aggrandisement on the part of the centre has taken place at all. Secondly, if central infraction of the relevant constitutional provisions is the problem, then the obvious solution would be to restore these provisions, in all their pristine purity, to proper heights of command in inter-governmental transactions in education. But, this we have seen is not possible. Centralisation in education, in essence, though not in manner and form, is an irreversible process in so far as centralisation itself is an inevitable product of socio-economic forces that can no more be arrested. Thus this simplistic statement of the problem of centre-state relations in education is purely of a 'metaphysical' character.

The problem of centre-state relations in education

If a solution is to be explored to the problem of centre-state relations in education, a more realistic and fruitful assessment of the problem has to be sought. A basic requirement of such an exploration, it would seem, is to disabuse ourselves of the legalistic notion that the existing constitutional provisions regarding education should, under all circumstances, constitute the immutable frame of reference of such an assessment. Primacy of consideration should be given to the socio-economic compulsions of the situation. It is these compulsions that lie at the root of the centralising tendency that we have noticed in Indian education. Seen in this perspective, the problem in centre-state relations in education seems to be that of a malalignment between the myth of constitutional provisions and the needs of a society that has accepted induced change and planning as its preferred instruments of development.

This disjunction between the legal provisions and the needs of

policy-making for development has been deleterious in two ways. Firstly, though the centre has, operationally speaking, enjoyed considerable initiative and influence in educational matters so far, its *locus standi* with regard to policy-making is not too secure and is persistently being questioned. As political plurality at the state level increases and the present non-antagonistic centre-state conflicts are transformed into antagonistic clashes, the possibility of which cannot be entirely ruled out, the tendency to challenge central authority in policy-making is likely to be on the ascent. This will prove to be malintegrative to education and, ultimately, may be to the federal polity itself. Secondly, the malalignment between the legal myth and the facts of praxis has created plenty of scope for 'passing the buck' in education. This, it may be pointed out, is often welcome both to the governments in the states and the government at the centre as a counter in facing a censorious public. But, this dubious political advantage is hardly commensurate with the price the country has to pay for it in terms of the growth and betterment of education.

The solution ?

What then is the solution ? It would seem to be to make the factual in education, the constitutional also—that is, to put education on the Concurrent List of the Seventh Schedule of the constitution.

One hesitates to make a suggestion like this so soon after such an august body as the Education Commission (1964-66) came to the conclusion that the constitutional provisions regarding education need not be disturbed. One would like to think that this splendid body, like most others of its ilk, was not trying to be more royalist than the king himself. But, the commission certainly had other compelling reasons to be cautious. It was reporting at a time so close to the climacteric 1967. It did not want to prejudice the reception of its excellent recommendations by the states by seeming to side with the centre. Perhaps, the centre itself would not have been overly happy about a controversy on this matter at such a juncture.

There is no need here to labour the inadequacy of the solution we have suggested to the problem of centre-state relations in edu-

cation. The experience of the Damodar Valley Corporation is a good example of that inadequacy. The DVC Act gave the central government complete control over planning, implementation and operation in the corporation. Yet, the Bihar and West Bengal governments were able to frustrate the central government completely in the DVC. Putting education on the Concurrent List of legislation, therefore, can only be the *necessary condition* for a more authentic pattern of centre-state relations in education. It will be beyond our scope here to go into the circumstances in combination with which it can also prove to be the *sufficient condition*.

The last caveat

One of the unstated premises of the suggestion that we have made above has been that education has now acquired the characteristics of a national concern. This should naturally be reflected in the constitutional provisions regarding education. But the constitutional change in this direction also harbours a serious danger. If one may paraphrase what Eric Eaglesham said in the context of the 1944 Act, a despotic centre would find in these changes all the powers it needed to twist the whole administration, both central and state, to suit its purpose. The only way to guard against this is to forge between the centre and the states a genuine partnership in policy-making. This will mean considerable changes in our financial and planning procedures. It will also mean far-reaching changes in the composition, structure and style of functioning of the main centre-state policy-making and consultative devices. This is not the place to spell out these changes in detail. The directions of the needed changes, however, are implied in our discussions. The basic task in refashioning centre-state relations in Indian education to-day is to find a political *modus vivendi* that protects the interests of the central government in education as a national concern without stifling the initiative and creativeness of the states in this vital field. Any changes in legal provisions or operational relations will stand or fall depending upon whether they ensure this.

POSTSCRIPT

THE SWARAN SINGH COMMITTEE PROPOSAL

As this book goes to the press, the nation is discussing the proposals of the Swaran Singh Committee for changes in the constitution. The proposals have generated a heated controversy; perhaps more heated than one would expect in a situation in which the normal political processes are under suspension. In this we seem to agree with Jefferson that a little rebellion now and then is a good thing, *even* in an emergency.

This is not the place to go into the controversy itself. The essence of the controversy, however, is : how fundamental is the fundamental law of the country? On this we have already taken our position in the introductory chapter. That position is that the *fundamentalism* of the constitution should not be interpreted as its *immutability*. It was on that basis that we made the suggestion in the concluding chapter that education should be put on the Concurrent List of the Seventh Schedule of the constitution.

When this study was completed, the Swaran Singh Committee had not yet made its proposals. It is, therefore, gratifying to see that the committee also has recommended making education a concurrent subject of legislation.

It is interesting that the committee makes this recommendation hardly a decade after the Kothari Commission had asserted that the constitutional provisions regarding education did not need to be touched. To be sure there have been changes in the country after Prof. Kothari and his highly knowledgeable colleagues had submitted their report. All the same, looking back now, one can not resist the suspicion that the comments that we had to make on the position that they had taken on the issue were not entirely uncharitable. It is also significant that towards the end of the 'sixties, Mr. M.C. Chagla, the then Union Minister for education, had also sought to get education transferred to the Concurrent List. But, not one state barring Punjab had supported the move which forced the minister to give up the idea. To-day, if any state is opposed to the Swaran Singh Committee proposal, it is a well-kept secret.

The Swaran Singh Committee proposal on education shows that we have come a long way after 1813. It was in that year, as we have seen, that the state in India first assumed some responsibility for education. When the present proposal gets incorporated in the constitution, it will be the second most important event in the history of modern Indian education. For, that event will mark the recognition of education as a *national concern*. This recognition is reflected in the report of the Swaran Singh Committee itself. The committee has said :

Agriculture and education are subjects of prime importance to the country's rapid progress towards achieving desired socio-economic changes. The need to evolve all-India policies in relation to these two subjects can not be over-emphasised.

The committee had recommended that both 'education and agriculture should be placed in the Concurrent List'. The proposal on agriculture seems to have fallen a victim to the pressure of the powerful landlord lobby in the country. Fortunately for education, the elements who are likely to be opposed to the proposed change in the field have not been able to 'aggregate' their interests so far. The text-book barons and the overlords of private education remain a fragmented force. Nor have they been able to forge enduring links with the political elite in the states and at the

centre. The Swaran Singh Committee proposal on education, therefore, bids fair to become a part of the constitution in the monsoon session of the parliament. Interestingly enough, even some of those who consider the constitution sacrosanct have already welcomed the proposed change. Writing in a recent issue of a prominent weekly journal from Bombay, one of the most vocal among them, whose sanctimonious reverence for the constitution makes him see in every move for a change in the constitution an attempt at its defilement, says: 'The suggestion to put agriculture and education in the Concurrent List is commendable since such an amendment alone can meet the need to evolve all-India policies in relation to these subjects of national importance.' This perhaps is a measure of the soundness of the constitutional change in the offing.

Welcome as the proposed constitutional change is, that change in itself is not likely to prove *sufficient condition* for the solution of the problem of centre-state relations in Indian education, as we had occasion to point out in our concluding chapter. In the euphoria induced by the change, we are likely to forget this. The great problem in the refashioning of union-state relations in education is only partly constitutional. It is also political, managerial and administrative. One of the persistent lessons of the experience with educational development in most new nations has been the inter-relationship implied here between law, politics and administration.

The political pre-requisite of the solution to the problem is obvious. The entries in the legislative lists of the Seventh-Schedule are only of an enabling nature. This is true about the entries in the Concurrent List also. The shifting of Entry 11 of the State List to the Concurrent List will now give the union power to legislate on all matters related to education. But it is one thing to possess legal power and quite another to possess the requisite strength to use that power. Even under the present constitutional dispensation, the union government has, as we have argued elsewhere, vast powers in certain educational matters. Article 356, for example, can be used in cases of failure on the part of the states to fulfil the requirements of the directive principles regarding education. So also, Article 350A empowers

the President to issue such directions as he considers necessary to the states to secure the provision of adequate facilities for instruction in the mother tongue at the primary stage to children of linguistic minorities. These provisions of the constitution have, however, been seldom invoked. It is not argued that this has always been because the government at the centre lacked the political strength to do so. But, it can be shown that this indeed has been the reason at least on occasions. The concurrent power of legislation in education that the proposed constitutional change will bestow upon the union government can be of avail only if we have a *virile* federation, with a union government that commands authority. This of course is a political condition that is beyond education to secure. But, it is well to remind ourselves of the limitations of the proposed measure.

The managerial and administrative pre-requisite of an authentic solution to the federal problem in education is also not far to seek. Under the Indian constitution the legislative power of the union and its administrative power are not co-extensive. The Swaran Singh Committee has explicitly stated that this position will continue in education even after the proposed change in the constitution. The administration of education will therefore remain vested in the states. In other words, the transfer of education from the State List to the Concurrent List will not alter the *promotive* inter-dependence of the states and the union in education. The union will achieve its objectives in education, as we have pointed out in our chapter on the consultative machinery in education, only to the extent the states achieve them too. It is, therefore, important to see that the admittance of the centre into the legislative field in education does not lead to the frustration of state aspirations in education. This will not only weaken national coherence, but also damage education itself.

The great problem of reshaping federal relations in education to-day is that of relating the policy-making and authoritative structures of the government of education in the country to the reality of the *promotive* inter-dependence in education of the union and the states. We have not given any systematic attention to the problem so far and the proposed change in the

constitutional basis of the management of education in the country should be the appropriate time for action in this direction. This is basically a political question and *politics* in this context should be defined in the way Bernard Crick defines it—‘the activity by which differing interests within a given unit of rule are conciliated by giving them a share in power in proportion to their importance to the welfare and the survival of the whole community’.

If we look at the management of education in this country from this point of view, it would seem that there has been an almost studied avoidance of politics here, as our chapter on the consultative machinery in education will show. The task, is, therefore, to install politics, in Crick’s sense of the word, in the management of education. This will mean a close look at the policy-making structures we have built up in education down the years after independence—particularly the C.A.B.E., by far the most important among them. This body needs to be revamped to make it genuinely federal in character. This will basically mean strengthening its non-union and non-bureaucratic components. It may also mean a serious exercise in functionally differentiating the body from its lesser competitors in policy-making. Such an exercise should logically and legitimately result in reserving federal policy-making proper in education to the C.A.B.E. Other bodies may busy themselves with instrumentalities of implementation.

All this might still reduce the proposed constitutional change to a shift from tweedledum to tweedledee. The vital question is how the union government is going to use the power in education it seeks to acquire. If it is used for legitimatising and strengthening the technocratic control of education from the centre that planning and central financing of education has brought on, it would be a bad day indeed for education and the nation.

ANNEXURES

ANNEXURE 1

Pattern of central assistance for centrally assisted educational schemes during the First Five Year Plan*

<i>Scheme</i>	<i>Year</i>	<i>Ratio of Central Assistance (Recurring)</i>
Propagation of Hindi	1954-55	66% of approved expenditure on approved schemes.
	1955-56	66% of approved expenditure on new approved schemes and also the schemes for which central assistance was sanctioned in the year 1954-55 but were not started in that year.
		50% of those schemes which were started in 1954-55.

**Courtesy* : The Planning Unit of the Ministry of Education, Government of India, New Delhi.

<i>Elementary (including Basic Education)</i>		<i>Recurring Expenditure</i>	<i>Non-Recurring Expenditure</i>
i Post-graduate basic training colleges	1952-53 1953-54	60%	66%
ii Basic training colleges	1954-55	50%	66%
iii Community centres	1955-56	33½%	66%
iv Integrated library service			
v Janta colleges			
vi Improvement of primary schools			
vii Pre-primary schools	1952-53	60%	66%
viii Urban basic schools	1953-54		
	1954-55	50%	66%
	1956-56	33½%	66%

Secondary Education

i Development of schools- cum-community centres	1952-53 1953-54	60%	66%
ii Improvement of secondary schools	1954-55	50%	66%
iii Improvement of library service	1955-56	33½%	66%

Social Education

i Training of social education workers	1952-53 1953-54	60%	66%
	1954-55	50%	66%
	1955-56	33½%	66%

<i>Social Education</i>		<i>Recurring Expenditure</i>	<i>Non-Recurring Expenditure</i>
ii Appointment of district social education organisers	1955-56	50%	50%
iii Production of literature	1955-56	50%	50%
iv Educational unemployed relief scheme	1953-54	75%	75%
	1954-55	50%	50%
	1955-56	25%	25%

ANNEXURE 2

Pattern of central assistance for centrally assisted educational schemes in the Second Five Year Plan*

<i>Schemes</i>	<i>Pattern of Assistance (Percentage)</i>
<i>Elementary Education</i>	
i Pre-primary education	50
ii Education of girls	
a) Basic schools	
b) Non-basic schools	60
iii Basic education (including training of basic teachers)	60
iv Improvement of salaries of primary school teachers	50
v Relief to educated unemployed and expansion of primary education	100
vi Additional inspectorate	50
vii Staff quarters for teachers	50
viii Other schemes (except scholarships, administrative staff/buildings)	50
<i>Secondary Education</i>	
i Conversion of high schools into multipurpose higher secondary schools	60
ii Conversion of high schools into higher secondary schools	60
iii Training of teachers for multipurpose higher secondary schools	60
iv Improvement of teaching facilities in existing secondary schools (non-recurring only)	50
v Improvement of teaching science in existing secondary schools (non-recurring only)	50

*Courtesy : The Planning Unit of the Ministry of Education, Government of India, New Delhi.

<i>Schemes</i>	<i>Pattern of Assistance (Percentage)</i>
vi Improvement of libraries (non-recurring only)	50
vii Improvement of salaries of secondary school teachers	50
viii Additional inspectorate	50
ix Staff quarters for teachers	50
x Educational and vocational guidance bureau	50
xi Seminars for teachers and inspectors	50
xii Other schemes (except scholarships, public schools and administrative staff/buildings)	50
<i>University Education</i>	
Women's education	50
<i>Social Education</i>	
i State, district, branch and children's libraries	50
ii Appointment of district social education organisers	50
iii Janta colleges	50
iv Other schemes (except schemes covered under the programmes of the Ministry of Community Development)	50
<i>Audio-Visual Education</i>	
Audio-visual education schemes	50
<i>Education of the Handicapped</i>	
Schemes for the education of the handicapped	50
<i>Promotion of Hindi</i>	
Schemes for the promotion of Hindi	60
<i>Miscellaneous</i>	
Planning and statistical units	60

ANNEXURE 3

Pattern of central assistance for centrally-sponsored schemes during the Second Five Year Plan*

<i>Schemes</i>	<i>Pattern of Assistance (Percentage)</i>
<i>Elementary Education</i>	
i Expansion of girls' education and training of women teachers	75
ii Post-basic schools	100 (Assistance is also given to voluntary organisations on a 60% basis)
iii Organisation of literary workshops for the production of literature for children	100
iv Travel concession to elementary school teachers	100
v Pilot project for improved science teaching in elementary schools	100
vi Teacher training facilities for implementing scheme on free & compulsory education during the Third Plan	100
vii Educational survey	66½
<i>Secondary Education</i>	
Introduction of agricultural & science courses/	60 (The scheme was dropped with effect from 1959-60)

*Courtesy: The Planning Unit of the Ministry of Education, G.O.I., New Delhi

<i>Schemes</i>	<i>Pattern of Assistance (Percentage)</i>	
<i>University & Higher Education</i>		
i Improvement and development of educational institutions at collegiate level (three-year degree course)	50	(Assistance is also given to universities)
ii Rural institutes	75	N. R. (Assistance is given to voluntary organisations)
<i>Physical Education and Youth Welfare Activities</i>		
i Physical education training colleges	100	(Assistance is also given to voluntary organisations on 75 per cent basis)
ii National physical efficiency drive	50	
iii Seminars on physical education	50	
iv Grants to vyayamshalas	75	(Subject to a maximum of Rs. 2,500).
v Stadium and guest houses	50	(Assistance is also given to voluntary organisations)
vi Labour and social service camps	100	(Assistance is also given to voluntary organisations)
vii Campus work projects	75	

(Voluntary organisations are also entitled to assistance. Under the scheme assistance is given on the actual cost of these projects without taking into consideration the cost of land

and that of skilled and un-skilled labour rendered by students & teachers and subject to the ceiling prescribed for the different types of projects detailed below :

(a) Swimming pool	Rs. 30,000
(b) Open-air theatre	Rs. 15,000
(c) Small stadium	Rs. 25,000
(d) Pavilion	Rs. 10,000
(e) Recreation hall-cum-auditorium	Rs. 35,000
(f) Gymnasium	Rs. 25,000
(g) Preparation of 400 metres oval cinder track	Rs. 10,000)

viii Development of sports and games— acquisition of play fields	100	(Subject to a maximum of Rs. 5,000)
ix Youth hostels	100	(Subject to a maximum of Rs. 40,000 per hostel)
x Student tours	100	(Third class railway/bus fare at students' concessional rates)
xi Non-student youth clubs	50	(Subject to a maximum of Rs. 5,000)

Social Education

Organisation of literary workshops for the production of literature for neo-literates	100
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Promotion of Hindi and Sanskrit

Appointment of Hindi teachers	60
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ANNEXURE 4

Pattern of central assistance for centrally assisted schemes during the Third Five Year Plan*

<i>Schemes</i>	<i>Pattern of Assistance (Percentage)</i>
1 Special schemes relating to girls' education	100
2 Teacher training	100
3 Appointment of additional teachers for primary schools	50
4 Conversion of high schools into higher secondary schools	50
5 Improvement of science teaching in secondary schools	75
6 Scholarships for primary and secondary school students	75
7 Improvements in emoluments of teachers	50

*Compiled from the records of the Planning Commission

ANNEXURE 5

Central assistance for centrally-sponsored schemes included in the Third Year Plan*

<i>Schemes</i>	<i>Pattern of Assistance (Percentage)</i>
1 Extension services in training institutions for primary teachers	100
2 Examination reform in secondary education	100
3 Educational and vocational guidance for secondary education	100
4 Appointment, training and revision of pay scales of Hindi teachers in non-Hindi states	100
5 Sanskrit education in oriental institutions and secondary schools	100
6 Establishment of research and evaluation bureaux	100
7 Youth welfare activities	100
8 Labour and social welfare camps	100
9 Promotion of sports and games and physical education	75
10 Strengthening of multi-purpose schools	50
11 Mid-day meals	33½
12 Improvement of science education in secondary schools**	100

*Compiled from the records of the Planning Commission.

**The scheme was introduced in 1963-65 on the recommendation of the Conference of State Education Secretaries held in June 1963. The scheme provided for :

- i) Strengthening of science laboratories in secondary schools
- ii) Special training courses for science teachers
- iii) Setting up of State Institutes of Science Education

ANNEXURE 6

Pattern of central assistance to centrally-assisted schemes during the Fourth Five Year Plan*

<i>Schemes</i>	<i>Pattern of Assistance (Percentage)</i>
1 Special schools relating to girls' education	100
2 Teacher training	100
3 Appointment of additional teachers for primary schools	50
4 Conversion of high schools into higher secondary schools	50
5 Improvement of science teaching in secondary schools	75
6 Scholarships for primary and secondary school students	75
7 Improvement in emoluments of teachers	50

*Compiled from the records of the Planning Commission.

ANNEXURE 7

Pattern of central assistance for centrally-sponsored schemes during the Fourth Five Year Plan*

<i>Schemes</i>	<i>Pattern of Assistance (Percentage)</i>
1 Production of university level books in modern Indian languages	100
2 Appointment of Hindi teachers in non-Hindi-speaking states	100
3 Establishment of Hindi teacher training wings in existing training colleges	100
4 Modernisation of Sanskrit pathashalas	100
5 Facilities for teaching of Sanskrit in secondary schools	100
6 Sanskrit scholarships to secondary school students	100
7 Grants to eminent Sanskrit scholars	100
8 Development of post-graduate courses in engineering	100
9 Regional engineering colleges.	100

*Compiled from the records of the Planning Commission.

ANNEXURE 8

An analysis of assisted and unassisted schemes in the Third Five Year Plan of Punjab under the sub-head 'Education'*

The draft Third Five Year Plan of Punjab for "General Education" was of the order of Rs. 30.64 crores. In the plan as finally accepted, the amount was reduced to Rs. 17.77 crores. The comparative composition of the two sets of figures was as follows:

(Rs. in lakhs)							
(1)				(2)			
Draft Plan (3064)				Final Plan (1777)			
High pattern schemes (100%)	Other pattern schemes (50% to 75%)	Total pattern schemes	Non- pattern schemes	High pattern schemes (100%)	Other pattern schemes (50% to 75%)	Total pattern schemes	Non- pattern schemes
116	1810	1926	1138	64	1116	1180	597

It will be seen that in the original formulation itself pattern-bearing schemes formed 63% of the state plan in this sector while schemes to which no patterns were attached formed 37% of the total. When the plan had to be slashed there was a reduction in the non-pattern schemes to the extent of 48% while the pattern schemes suffered a cut of 39%. Thus the unassisted portion suffered a heavier cut.

*Extracted from : Administrative Reforms Commission, *Report of the Study Team on Centre-State Relationships*, Vol. II, p. 76

Many of the unassisted schemes given up or slashed had a high priority but were given up in favour of assisted schemes. Some of these priority schemes were :

i Establishment of additional primary schools at Chandigarh	Rs. 7.57 lakhs (abandoned)
ii Upgrading of middle schools to high schools	Rs. 79.11 lakhs (abandoned)
iii Introduction of craft in middle schools	Rs. 59.00 lakhs (slashed)
iv Additional contingent grants for equipment for secondary schools	Rs. 66.00 lakhs (slashed)
v Social education	Rs. 36.29 lakhs (abandoned)
vi Orientation of inspection staff	Rs. 0.50 lakh (abandoned)
vii Strengthening of science teaching in elementary schools	Rs. 1.00 lakh (abandoned)
viii Setting up of 2700 school gardens	Rs. 27.00 lakhs (abandoned)

Schemes Nos. (i),(ii),(iii) and (iv) had a particularly high priority in the draft plan and, in any case, all these schemes had, in the opinion of the state, a higher priority than the following sample of assisted schemes eventually included :

i Residential quarters for women teachers in rural areas	Rs. 5.00 lakhs (the quarters (100%) have remained unoccupied)
ii Hostels for girls in secondary schools	Rs. 15.20 lakhs (suffered no (100%) cut from the original size)
iii Provision of lavatories and drinking water facilities	Rs. 7.50 lakhs (increased (100%) from Rs. 3.75 lakhs)
iv Milk feeding programme	Rs. 20.00 lakhs (this provision was made at the last stage)

ANNEXURE 9

The current composition of the CABE

Chairman

- 1 The Union Minister of Education

Representatives of the Government of India

- 2 All Ministers of State and Deputy Ministers in the Ministry of Education and Social Welfare

Representatives of State Governments

- 3 One representative of each state government who shall be the minister in charge of education
- 4 One representative (to be determined by the chairman) of each such union territory as has an elected legislature.

Elected Members

- 5 (a) Six members of the parliament, two to be elected by the members of the Rajya Sabha from among themselves and four by the members of the Lok Sabha from among themselves.

*Taken from : Ministry of Education and Social Welfare, *The Central Advisory Board of Education : Constitution and Present Composition*, 1972, New Delhi, pp. 6-8, except in the matter of *Nominated Members*. The paragraph of the original Government of India resolution relating to this category of members has been amended twice since the publication of the above brochure. The number of nominated members here shown has been taken from the last amending order of the Government of India. See GOI Order No. F.I—30/73—PRII, dated November 13, 1973.

- (b) Two members of the Inter-University Board of India** nominated by the board from amongst representatives of universities in India*
- (c) Two members of the All India Council for Technical Education to be nominated by the council
- (d) One representative of the Indian Council of Agricultural Research
- (e) One member of the Medical Council of India to be nominated by the council

Ex-Officio Members

- 6 (a) Chairman of the University Grants Commission, New Delhi
- (b) Member, Planning Commission (in charge of Education), New Delhi
- (c) President, All India Council of Sports, New Delhi
- (d) Chairman, National Book Trust, New Delhi
- (e) National Council for Women's Education, New Delhi
- (f) Secretary, Department of Education, New Delhi
- (g) Secretary, Department of Culture, New Delhi
- (h) Additional Secretary, Department of Social Welfare, New Delhi
- (i) Secretary, Department of Science and Technology, New Delhi
- (j) Chairman, Standing Commission for Scientific and Technical Terminology, New Delhi
- (k) Director-General of Health Services, New Delhi
- (l) Commissioner for Scheduled Castes and Scheduled Tribes, New Delhi.
- (m) Director, National Staff College for Educational Planners and Administrators, New Delhi

****Now the Association of Indian Universities. Footnote added.**

- (n) Director, National Council of Educational Research and Training, New Delhi
- (o) Chairman, Central Board of Secondary Education, New Delhi
- (p) Commandant, National Defence Academy, Khadakvasla, Poona

Nominated Members

- 7 Twenty educationists to be nominated by the Government of India.

Member-Secretary

- 8 An officer of the Government of India nominated by the Chairman of the Board

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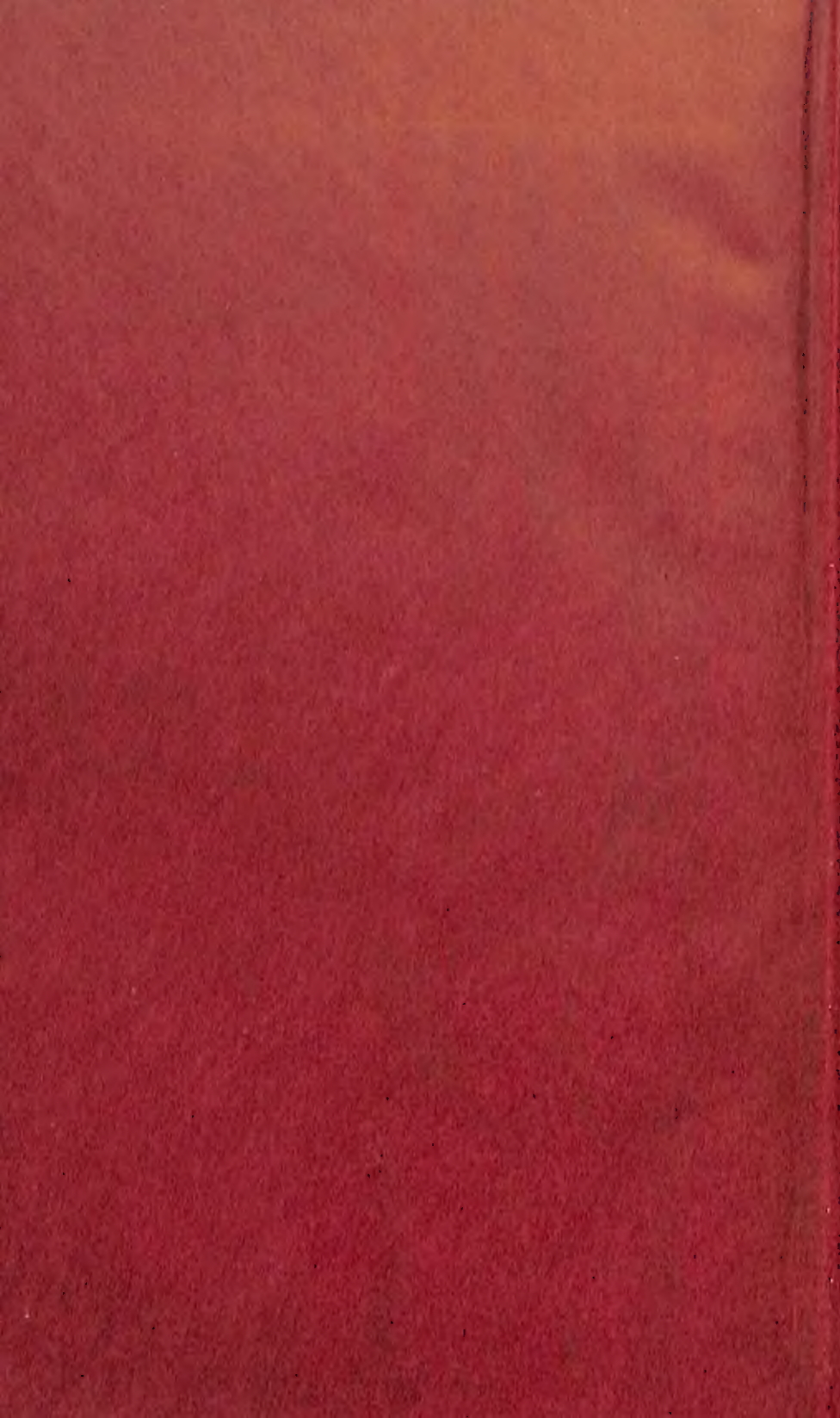
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